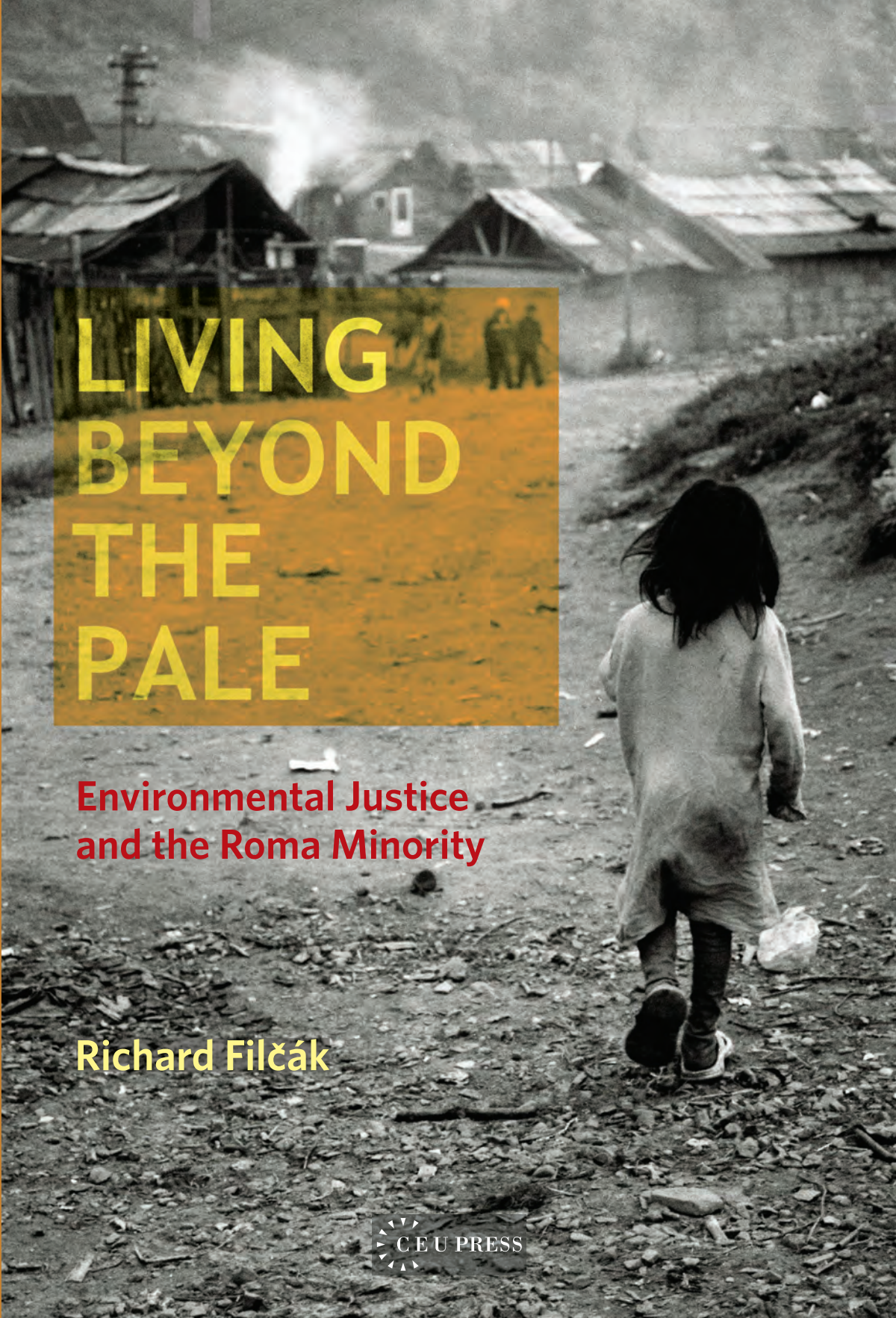




LIVING BEYOND THE PALE

**Environmental Justice
and the Roma Minority**

Richard Filčák

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and the Roma Minority**

RICHARD FILČÁK



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List of Abbreviations and Acronyms

Acquis (Acquis Communautaire)—The body of common rights and obligations, that binds all member states together within the European Union. Applicant countries have to accept the community *acquis* before they can join the union.

CEE	—Central and Eastern Europe
CEU	—Central European University
EC	—European Commission
ECRI	—European Commission against Racism and Intolerance
EPA	—Environmental Protection Agency
ERRC	—European Roma Rights Center
EU	—European Union
FoE	—Friends of the Earth
FDI	—Foreign Direct Investment
GDP	—Gross Domestic Product
IPC	—Integrated Pollution Control
LA 21	—Local Agenda 21
LEAP	—Local Environmental Action Program
MoE SR	—Ministry of the Environment of the Slovak Republic
NUTS	—Nomenclature des Unites Territoriales Statistiques or sub-national administrative areas within the European Community
OECD	—Organisation for Economic Co-operation and Development
PES	—Payment for environmental services
PHARE	—Pre-accession fund of the EU supporting implementation of the EU <i>acquis</i> and approximation with the union
PRSP	—Poverty Reduction Strategy Paper

REC	—Regional Environmental Center for Central and Eastern Europe
RRA	—Rapid Rural Appraisal
SPACE	—Social Policy Analysis Center Foundation
UK	—United Kingdom
UN	—United Nations
UNDP	—United Nations Development Programme
USA	—United States of America
WB	—World Bank
WCED	—World Commission on Environment and Development
WFD	—Water Framework Directive
WRI	—World Research Institute
WSSD	—World Summit on Sustainable Development (Johannesburg 2002)
WWF	—World Wide Fund
WWII	—World War II.

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Introduction

[After WWII] Roma survivors had to settle next to forests, in the middle of fields or on riverbanks. These were the only places where they were allowed to settle down and start over. They built huts and began to call them flats. No attention was paid to them, and they were given no help.

Anna Husarova Romani woman from Jarovnice¹

May 24, 1945—it is sixteen days after the end of World War II. Czechoslovakia has been liberated and among the first laws adopted by the newly formed government² is a directive on Governing Certain Conditions of Gypsies.³ Paragraph 2 of the directive states: “In villages where they [Roma] have dwellings in proximity to public, state-owned and other roads, the dwellings will be removed, placed separately from the village on distant places selected by the village” (Jurová 2002b).

This is neither the first nor the last attempt to regulate Roma⁴ settlements and separate them from villages of non-Roma. Rather it is only one step in a long process of attempts to keep Roma outside the majority territories. Such attempts date back centuries and keep being reincarnated under different regimes and in different ways, yet with similar outcomes.

As newcomers to villages with practically no resources to buy land, Roma were allowed to settle in places allocated by the non-Roma majority. As soon as the conditions modify—for example, value of the land

¹ Testimony from the Stories exchange project, www.stories-exchange.org/sep/english/stories/story.cfm?SID=118&CID=1.

² Adopted by Expozitura Poverenictva Vnutra (Department of Interior Affairs of the newly formed government). It is an amendment to an older directive from April 1940 on Governing Certain Conditions of Gypsies.

³ In Slovak: Uprava niektorých pomerov Ciganov.

⁴ I use Rom (plural Roma, adjective Romani), the term promoted by most Romani organizations and Roma. The English equivalent of Gypsy (*Tsigan*) has negative connotations in Slovakian.

changes, new road close to the settlements proximity is constructed, or non-Roma realize that the Roma are too close to the village—multiple ways were utilized to resettle them. The most recent example described in the book is the construction of new social housing as far from the villages as possible. Consequently, Roma settlements can now be found on the outskirts of villages, separated from the majority population by roads, railways, or other barriers, disconnected from water pipelines and sewage treatment.

What role did environmental conditions play in the selection process when the majority decided where this unwelcome minority had to live? Is it an accident that Roma shantytowns⁵ are next to a landfill, on contaminated land, or that they are regularly exposed to floods? Why do water pipelines end on the edges of their settlements, meaning that Roma have to walk miles every day just to collect potable water? There was (and, unfortunately, still is) discrimination in equal access to environmental benefits and people are not equal when it comes to exposure to adverse environmental impacts.

Roma are not the only ethnic group discriminated against in Slovakia, but they are the leading group when it comes to unequal distribution of environmental benefits and harm among Slovak people. Such distribution is analyzed from the perspective of environmental justice, which is defined here as fair treatment of people regardless of ethnic origin or class in the distribution of negative environmental consequences from development plans and policies, industrial operations or natural disasters, and as fair access to natural resources and a clean environment. Environmental justice is also about the recognition and involvement of stakeholders regardless of their economic status or ethnicity in development, implementation, and enforcement of policies, programs, and projects related to the distribution of environmental benefits and harm.

Around 550 people in Rudňany-Pätoracké of Eastern Slovakia live in a zone endangered by landslides or surrounded by toxic waste from mining activities. More than 300 Roma from Hermanovce wake up in the morning in the settlement at the fork of a river that floods their houses regularly. Today we find Roma settlements in regularly flooded areas, close to landfills or under the chimneys of derelict factories. What is even worse, once Roma inhabit a space, it becomes—in the eyes of the majority, that is decision makers—unsuitable for any development plan or project. On

⁵ The Slovakian name for these settlements is *osada*, which could be translated as “camp” or “colony.” I prefer to use the term shantytown or informal settlement instead of ghetto.

the contrary, it becomes an area for the allocation of problematic projects or facilities, and it might turn out to become a place of environmentally problematic management practices.⁶ Parts of villages inhabited by Roma are considered “lost” for any meaningful investment and the shantytown territory might start to be constructed by the majority as a lost ground or territory “beyond the pale.”

In this book I map out environmental conditions (against the background of the overall economic and social situation) in Roma settlements of Eastern Slovakia. This area has the highest concentration of the ethnic Roma, and is one of the most backward regions of the enlarged European Union. The facts and arguments presented here are based on the field research in Roma settlements I have been doing since 2002. Over the years I have had many opportunities to study and witness the distribution of environmental benefits, harm, and the subsequent impacts on village populations. In this book I present them as the four main patterns of environmental injustice: exposure to hazardous waste and chemicals, vulnerability to floods, limitations on access to potable water, and waste management practice. The patterns and cases identified open much broader questions of the origins and social processes that contribute to the unequal distribution of environmental benefits and harm.

I am particularly interested in what are the social processes associated with environmental injustice. Why are some people or groups better off than others when it comes to the distribution of environmental benefits? In order to understand the present situation and identify ways to address the impacts of these inequalities we must understand the past and mechanisms related to the differentiated treatment. It is necessary to see the problem of unequal exposure to environmental threats and limited access to resources in the context of development and development policies at the macro-level of the global and national level (e.g., social, environmental, and economic policies as well as their impact on people’s livelihoods). Yet any particular case of environmental injustice is deeply embedded in micro-level relations on the level of communities and settlements, and these must also be analyzed before the entire picture becomes clear.

Competition and conflict in access to (and management of) natural resources between two groups of unequal social and political status—the ethnic group of Roma and their non-Roma neighbors—is set forth as an explanatory framework. The main effect of the inequalities is the concep-

⁶ E.g., Waste management practice in Rudňany (Chapter 5), or the location of a new landfill in close proximity to Roma settlement in Svinia (described in Chapter 6).

tualization of Roma village sections as “beyond the pale” spaces where environmentally controversial practices are concentrated. The scenario is set in the gradually deteriorating social and economic situation of the people living on the margins (and lower income people sliding into poverty). To invoke Marx here, a specter is haunting Europe—but this time it is unclear what kind of the specter will decommissioning welfare state, growing unemployment, austerity measures and sacrifices bring in.

There is no simple answer as to why there is environmental injustice, and what are the measures that should be taken to revert its adverse trends. It is not even clear if there is any real political will for solutions addressing social misery of the people, besides cutting social welfare, which will theoretically bring Roma “back to work.” Work that does not exist, but even if it did, it would be (as we discuss in the book) through structural barriers unreachable for the ethnic minority.

Environmental conditions in Roma settlements are just one of the indicators of policy failures to address poverty and social exclusion in marginalized groups, structural discrimination, and internal Roma problems. It should be noted that environmental injustice is not an outcome of the “historical determination” of the Roma population to live in environmentally problematic places. Instead, they must be given a chance to move out of the places and move in to the society as its recognized and empowered members.

Poverty was a widespread phenomenon in many European countries in the nineteenth and early twentieth century, but over a relatively short period of several post-WWII decades countries succeeded in substantially improving the social situation of its inhabitants. Redistribution and targeted external help, together with opening of the new opportunities changed the life of people. Applying this perspective to the Roma in marginalized settlements, it is evident that they need external assistance, and need to be provided with opportunities while at the same time they need to work on their social inclusion. The environment (and environmental management) might be part of the problem but also part of the solution. It might provide employment and security, or become a common ground for cooperation, providing space for inclusion of minorities into broader society.

CHAPTER ONE

Environment, Poverty and the Roma

Negative impacts from industrial production and development do not affect everyone in society evenly. Environmental risks and the distribution of adverse effects of development have a tendency to be imposed more on those who do not possess adequate resources for their own protection or are discriminated against because of their origin. As Beck (1999:7) claims: “the first law of environmental risk is: pollution follows the poor.” For the poor who are discriminated against because of their ethnic affiliation and already experience social exclusion from society, the environment might represent yet another form of discrimination, discrimination for which we might use the term environmental justice (or injustice).

The problem regarding the distribution of environmental benefits and harms is a rather new topic in Central and Eastern Europe (CEE). The environmental and social or economic discourses generally run in parallel here, and there is little by way of existing literature or projects trying to connect the problems of poverty, ethnic discrimination, and access to environmental benefits or exposure to environmental harms. The exception is the problem of housing, where the activists and nongovernmental organization include access to water and sanitation in their public advocacy for equal treatment. They do it, however, more from a social perspective.

Problems of the Roma and other marginalized groups often cover the environment as well, but the concepts of environmental discrimination or environmental justice are still virtually unknown in the region, and the environmental problems are only unsystematically listed among the other problems the communities face. There is little existing literature on environmental justice and Roma in CEE, thus this book is a pioneering effort to approach the complicated nexus of poverty–discrimination–environment. To some extent, research for the book has already brought this discourse to the fore (Antypas, Filčák, and Steger 2008; Filčák and Škobla

2011; Steger et al. 2007; Steger and Filčák, 2008). Yet many uncertainties remain, as well as a substantial gap between research and practice.

Discrimination in the access to environmental benefits (i.e., clean water and safe environment) needs to be put into the context of the overall economic and social situation of the marginalized groups. There is a need for more comprehensive, detailed, and systematic data on the role of discrimination in the distribution of environmental harms and benefits in CEE. Facilitated by applying an environmental justice framework, this book should be seen as one of the steps toward that goal. It helps to document discriminatory practices in multiple environmental arenas (e.g., pollution exposure, flooding, access to water). The work also raises the issue of how environmental injustice creates further environmental degradation not just by putting the people “outside,” but also by violating sound environmental practices there, because the “normal” or “usual” rules of operation do not apply (I refer to this as “beyond the pale” syndrome).

This book has ambitions to be both theoretical and practical. From a theoretical perspective, it attempts to reconsider the concept of environmental justice (as it has been developed in the U.S. and UK literature) in light of field research in marginalized Roma communities. The types and scope of unequal treatment are systematically identified, analyzed, and described with special attention to the impacts on affected communities. My research sheds light on the social processes associated with unequal distribution of environmental benefits and harm and explore ways for their more just distribution.

At the practical level, I identify cases of environmental injustice by mapping the effects of unequal exposure to environmental harms and differentiated access to natural recourses. I show how social injustice is transformed into environmental harm and the creation of environmental “beyond the pale” syndrome of excluded places. I intend for the text to strengthen the arguments for policies development, activities, and practical steps that address the problems of marginalized communities. Environmental justice expands the discourse on environment and provides opportunities to look at not only the problem of discrimination against Roma communities, but the problematic situation of people living on the margins of society in general.

The arguments and conclusions built on my field research experience explore, describe, and analyze examples, types, roots, and causes of environmental injustice in Eastern Slovakia, and discuss ways to address them, all the while focusing on the Roma ethnic minority. To understand the cases of environmental injustice it is important to situate them in the con-

text of the social process on the macro-level (e.g., the influence of the international context in formulating national policies and national policies as such) and the micro-level (e.g., role of communities, institutions, and multiple stakeholders).

Based on his research on Chicago's waste policies and "garbage wars" from 1880 until 2000, David Pellow (2002) came up with four aspects important for understanding the mechanisms behind environmental injustice. He emphasizes: (i) the importance of the history of environmental racism and the processes by which it unfolds; (ii) the role of multiple stakeholders in these conflicts; (iii) the role of social stratification by race and class; and (iv) the ability of those least powerful segments of society to shape the contours of environmental justice struggles. Building on Pellow's work I developed the following framework for analysis of environmental injustice cases in Slovakia:

- The macro-level of the state: economic, social, and environmental policies, programs and projects making unequal distribution possible;
- Historical matters: social processes associated with the distribution of environmental benefits and harm;
- The micro-level of communities: the roles of multiple stakeholders and institutions;
- Class and ethnicity: the role they play in the distribution and processes leading to distribution;
- External agencies: the role they play and could potentially play;
- Internal strengths and weaknesses: types and strength of different resources (e.g. social and other capitals) and the ability of marginalized groups and individuals to influence the distribution of environmental benefits and harm and to formulate environmental justice struggles.

Applying this framework helped me to understand the processes and roles of stakeholders and institutions on different levels in enabling cases of environmental injustice. Environmental injustice is not an ad hoc case of temporary disadvantageous distribution of environmental benefits and harm. It is rather an outcome of long-term structural discrimination and marginalization.

Divided into nine chapters, this book presents data, information, and opinions gathered according to the above framework. The introductory Chapter One describes questions that were formulated in the beginning of

the endeavor, and provide reader with setting and context of the research. Chapter 2 discusses the framework of environmental justice and entitlements. Chapter covers the origin, social processes, and historical aspects of the formation of Roma communities vis-à-vis the majority population in the Slovak Republic. The chapter aims to explain specifics of the Roma ethnic minority in relation to their vulnerability to environmental injustice. It provides background for the analysis of the present social, economic, and environmental conditions of Roma and environmental conditions in Eastern Slovakia's shantytowns.

The next three chapters focus on outcomes of the field research in selected Roma communities. Results of the regional research are aimed at validating outcomes of the case studies and provide an important context for the findings. Chapter 7 summarizes four patterns of environmental injustice. Chapter 8 discusses roots of inequalities and potential reasons behind the cases of environmental injustice. It explains the differentiated treatment in the distribution of environmental benefits and harm through the various aspects that shape the majority and minority strengths and weaknesses. The final chapter outlines current trends and possible scenarios. It discusses development alternatives in settlements facing unequal treatment and outlines policy options and short- and long-term recommendations.

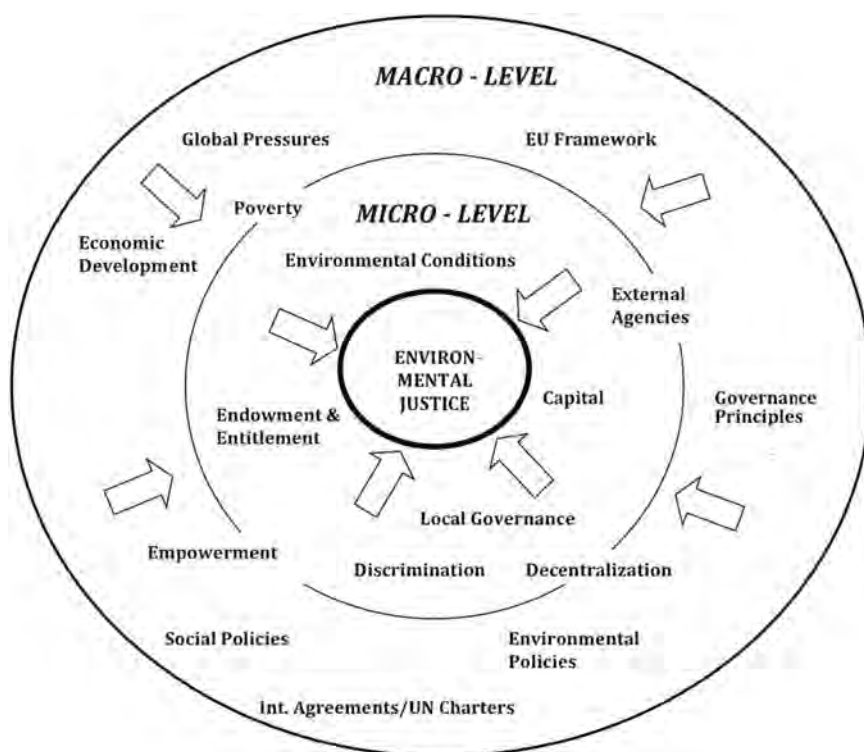
Points of Departure

This book builds on my field research for dissertation and later for my research projects at the Slovak Academy of Sciences, as well as on my experience from policy work, development projects and ad hoc cooperation with nongovernmental organizations. The idea goes back to 2002 when while visiting Eastern Slovakian villages I started to raise questions about marginalized people vis-à-vis their environment. The more I learned about the Roma in shantytowns, the more their situation resembled to me cases of the environmental discrimination I witnessed in developing countries, or read about in the literature about environmental justice. I was interested in the types and scope of the unequal treatment, and their impacts on the affected communities.

I knew that in searching for answers I have to start with data gathering and I would need to find evidence. It meant to identify, analyze (in historical perspective), and describe the cases, nature, and impact of environmental injustice. Later I realized that I also need to focus on the role

of multiple stakeholders and the institutional structures that govern and control the distribution of environmental benefits and harm. More I learned about the scope and magnitude of the problems, more I faced challenge how to interpret different social and economic factors important to understanding environmental justice in Eastern Slovakian villages (see Figure 1).

Figure 1. Macro- and micro-level factors important for environmental justice



It was clear that cases of environmental injustice are locally rooted and have origins in the distribution of environmental benefits and harm in villages or cities (i.e., at the micro-level). There are macro-level factors, however, which might enable or block unequal treatment of people (e.g., social policies or decentralization). Human rights and governance, economic, social, and environmental policies, as well as the EU's concept of

cohesion are key macro-level factors. Capital,⁷ poverty, social exclusion, entitlements, and access to decision-making are among the key micro-level factors.

I focused my field research on the identification and analysis of examples, types, and causes of environmental injustice in Slovakia as mapped and described in two case studies, involving five settlements. These are Pátoracké and Zabijaneč settlements in the case study of Rudňany, and communities in Hermanovce, Jarovnice, and Svinia in the Upper Svinka Watershed case study. In addition, I mapped thirty randomly selected Roma shantytowns for regional research, focusing on the Roma ethnic minority as the most vulnerable group in the country. Their situation and environmental conditions were analyzed vis-à-vis the situation and conditions of the non-Roma majority.

The cases were identified as typical or representative of other cases. Rudňany and the Upper Svinka River settlements were preselected in the pilot study as the appropriate locations for case study, while regional research was meant to validate this selection and put the case study findings into a broader picture of the regional context. See Figure 2 for the locations of the case studies.

Figure 2. Eastern Slovak Republic: Case studies and regional research location



The regional research was aimed and designed to provide an overview of the situation of Roma settlements in the selected region of the Slovak

⁷ Financial, but also symbolic, cultural, and social. For more on this, see Chapter Eight.

Republic. The data from the 2004 survey provided so far the most accurate picture of the number of Roma shantytowns, and on the actual size of the Roma minority in the Slovak Republic. Carried out by a group of sociologists from the Social Policy Analysis Center (SPACE) Foundation and Institute for Public Affairs Bratislava with the support of the World Bank and Canadian International Development Agency, the survey indicates that 320,000 Roma live in Slovakia in 1,575 integrated and segregated settlements (Jurášková et al. 2005). Out of the approximately 320,000 Roma in Slovakia, most are dispersed among the majority population in towns and villages, and around 128,000 are concentrated or segregated in three main types of settlements:

1. Concentrated in central parts of a town, taking the form of a Roma street, or several blocks of apartments (168 settlements);
2. Settlements on the outskirts of a town/village, but within the boundaries (338 settlements);
3. Settlements spatially segregated from a town/village by distance, by a natural barrier (e.g., stream or forest), or by other barriers (e.g., behind the railway or road) (281 settlements).⁸

The research design is built on the data available at the time of my field study preparations (2002–2003), which I received from the Office of the Plenipotentiary of the Government for Roma Communities ie, prior to the 2004 detailed mapping. However, there are no discrepancies in the typology; only the number of Roma settlements known prior to the 2004 mapping was smaller.

For the purpose of my research, I omit settlements of the first type because these settlements do not possess clear boundaries between Roma and non-Roma dwellings, and because it can be difficult to find any differences in the distribution of the environmental benefits and harm in the city centers. I therefore focus on the second and third types of settlements. As illustrated in Figure 3 the settlements in the research sample belong administratively to two regions (Prešov and Košice).

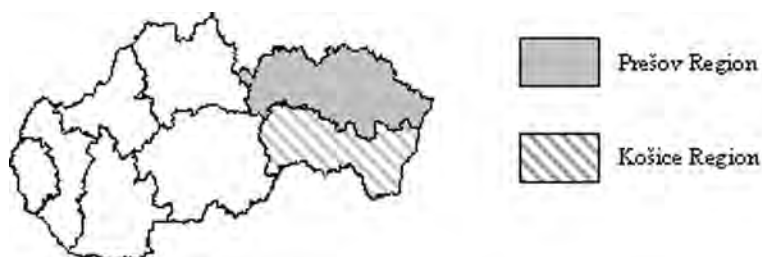
As already mentioned, the research sample was based on Roma segregated settlements of types 2 and 3 known in the time of the preparations. It means 323 in total (226 in Prešov region and 97 in Košice region).⁹ To

⁸ All numbers are based on a 2004 survey of the SPACE Foundation and Institute for Public Affairs Bratislava. See Jurášková et al. (2005) for more information.

⁹ The 2004 survey identified 619 Roma settlements of these types (Prešov 338 and Košice 281), which translated into 418 places located in Eastern Slovakia. The 95 Roma set-

generate my set of random numbers of the thirty settlements the research randomizer developed by Social Psychology Network was used.¹⁰

Figure 3. Administrative boundaries of the Košice and Prešov regions (Eastern Slovakia)



Rapid Rural Appraisal (RRA) methodology was used in the regional research. The methodology emerged in the late 1970s as a reaction to the disillusionment of social scientists with structured questionnaires and surveys that were considered inadequate and often misleading. According to Dunn (1994) the RRA filled the need for a multi-disciplinary approach to research and its intellectual and conceptual origins may be traced to Activist Participatory Research, Agroecosystem Analysis, Farming System Research and Applied Anthropology. There are several key features of the methodology I used:

- *Study, skills building and training* is a crucial step to achieve a consistent set of approaches to data collection. It may include training in techniques such as semi-structured interviewing, active listening and the formulation of objectives and protocols.
- *A project protocol* provides a blueprint to follow. This document should provide a way of approaching the public, stating the purpose of the RRA, how it will be conducted and what the outcomes will be.
- *The methodology* must be adapted to particular resources and field situations.

tlements not known prior to 2004, and therefore not included in the research sampling, are generally small communities (usually one to several families).

¹⁰ The random numbers generator of the Social Psychology Network is available at <http://www.randomizer.org/index.htm>. It is a service offered to students and researchers interested in conducting random assignment and random sampling.

- *Local “key informants”* should be used to establish the context of each study.
- *Qualitative data techniques* must be learned.
- *Data is fed back* to the community rather than “extracted” for researchers’ benefit only.
- *Particular variation* is sought rather than averages. This means that “sampling” is dependent on the data not the interviewees. The number of people interviewed is often determined by the amount of learning and time available.
- Accepting the notion of “*appropriate imprecision*” ensures that resources are not wasted on “accuracy” when it is not clear what the problem is.
- The idea of “*optimal ignorance*” reminds the researcher of the importance of “knowing what’s not worth knowing.”
- *Triangulation* refers to the process of cross-checking data by collecting it from more than one source.
- RRA is *exploratory and iterative*. Hypotheses and research questions can be rapidly changed as learning occurs (Adopted from Dunn 1994).

The approach use multiple methods, including archival research, review of secondary sources interviewing local stakeholders (i.e., mayors, NGOs, Roma leaders), and direct participant observation (i.e., water collection, waste management, local planning), foot transects, familiarization, participation in activities, scoring and ranking and rapid report writing. RRA methodology also builds on activist participatory research approaches, emphasizing commitment to action and social change through community facilitation and empowerment (Chambers 1994; Brydon-Miller 1997, Witkin 2000).

Field research provided manifold data and information, showing that there is a problem with the distribution of the environmental benefits and harms. Despite limited success, the ongoing trends indicate that if no radical steps are being adopted, we will be facing increasing social problems rooted in polarization and inequalities in Slovakia; and not only there. The question arises: Can these problems and inequalities be solved in the present economic and social context, or is it only possible to adopt some mitigation measures? This is what is called in the environmental discourse “end of the pipe solutions.” Keeping this dilemma in mind, I discuss options and opportunities in the last part of the book and conclude by asking what steps can be taken to move toward a more just distribution of environmental benefits and harm.

Setting of the Story

Slovakia faces many social, economic, and environmental problems affiliated with rapid reforms of policies, global economic development, and domestic challenges. Environmental pressures, high poverty rate, and growing regional disparities are among the most significant problems at the local level.

The transformation impacts and affiliated problems are most visible in Eastern Slovakia, which is a rather diverse region. There are two popular national parks in the north (High Tatras Mountains and Slovak Paradise), an extensive East Slovak basin in the southeast, and forest areas in the central part. Industrial production has been traditionally concentrated in the Middle-Spis region around the town Spišská Nová Ves, with a long record of mining, metal processing, and industrial production dating back to medieval times.

After World War II, mining, metal processing, and chemical industries were given priority in planning and investment. As a result, there are many environmental “hot spots” of old environmental liabilities in the region. The most important industrial and business centers today are Prešov (textile and timber) and Košice (iron mills, metal processing). Traditional agriculture, which is in decline, has been replaced by the tourist industry, which is the fastest growing segment of the economy.

The region is among the poorest in the enlarged European Union. It belongs to *Nomenclature des Unites Territoriales Statistiques* (NUTS) II category according to the European Union classification and consists of two counties: Prešov and Košice. These counties have the highest share of population dependent on social assistance in Slovakia, with unemployment rates often rising above 20 percent. Average monthly income of a household member in Prešov County is the lowest in the country.¹¹

Traditional coping strategy is migration. Although exact figures are unavailable, various estimates indicate that 200,000 to 300,000 Slovak citizens are working abroad. Many more thousands migrate within the country. This is a rather substantial rate for a country with population of 5.4 million. In my interviews with non-Roma in Eastern Slovakia, there was hardly a family whose members did not spend some time abroad. Not as many Roma had a similar experience, but migration is also increasing among them.¹²

¹¹ In the case of Košice, better macro-data are influenced by the performance of Košice city, which is the regional hub and the second largest city in the country.

¹² See for instance Grill (2011).

Younger people move out and the older people stay in villages. The only exception are Roma, among whom natality is still high and migration limited due to many structural reasons I explore in this book. Changing demography, power relations, and increasing poverty all combine to represent a ticking time bomb for the future of Roma.

Out of the identified 619 segregated Roma settlements in Slovakia, as many as 418 are located in the eastern part of the country.¹³ In this poor region Roma are the poorest of the poor. Social stratification is high, and a significant number of Roma live in the absolute poverty of rural shantytowns. There are Roma settlements in these areas with almost 100 percent unemployment; people are unable to afford basic utilities (e.g., water, electricity) or even food.

For these poor and marginalized people environment represents yet another form of discrimination. I describe this discrimination by using the concept of environmental justice and by analyzing entitlements for natural resources and the way in which these are controlled. The question of the distribution of environmental benefits and harms is a relatively new topic in Central and Eastern Europe; thus it is useful to start with discussion how we may understand justice and what are the points of departure in analyzing inequalities and its implications.

¹³ For more information, see Jurášková et al. (2005).

CHAPTER TWO

Environmental Justice and Entitlements

I based my analyses of the Roma situation on two concepts: environmental justice and entitlement. Both concepts are helpful in order to address the questions of origins and presence of the inequalities and to create a framework for shedding light on the importance, dynamics, and outcomes of the uneven distribution.

It is perhaps useful to start first with the history and evolution of the concept of environmental justice. It helps us to analyze approaches to understanding what is (and what is not) just in the distribution of environmental benefits and harm. There is no better point of departure, than to look on extensive literature from the United States, where the term “environmental justice” was first used. Approaches from the United States are then discussed vis-à-vis literature from the United Kingdom, where several researchers and activists have applied the environmental justice framework to the analysis of marginalized groups’ living environment.

I perceive entitlement to be the key factor in the formation of environmental injustice. Those who decide on the distribution of natural resources and rights to natural resources (especially land) have the decisive word in community development. Unequal or restricted entitlement over natural resources can be seen as a key factor in the explanation of inequality of the social situation among the stakeholders on the community level. It helps us better understand why certain settlements are located in the regularly flooded areas, or in close proximity to landfills. The points of agreement and links between the concept of environmental justice and entitlement to natural resources are rather complex and complicated. Before we get to discussion about them, let’s have a look at the different perspectives existing for discussing the distribution of environmental benefits and harm.

Distribution and Procedures

Who gets what and how it happened? Seemingly easy questions. Yet we can look at the distribution from the global perspective, or from a perspective of the state, region, or settlement. We can consider among stakeholders not only people exposed to the unequal impact of industrial pollution, but also future unborn generations or nonhuman beings.

International distributive justice and the environment have increasingly appeared in discourses that focus on globalization. Terms like “ecological imperialism” or “environmental colonialism” are often used in this debate. Leading activists such as Walden Bello or Vandana Shiva—together with recognized international NGOs such as Greenpeace, Friends of the Earth International, and the Third World Network—have pointed out the practice of countries and multinational companies shifting environmentally damaging production to developing countries, as well as the persistent exploitation of natural resources in those countries and devastation of the environment and local communities. According to Byrne et al. (2002: 9):

Environmental problems such as stratospheric ozone loss, climate change, and declining biodiversity have also underscored the international dimension of issues of environmental justice. While global environmental degradation has been the result of historical patterns of exploitative practices by the industrial elite, in most instances the consequences are or will be borne most heavily by poorer communities.

These facts contribute to the discussion of how to provide for more environmental justice in a global context. This is a significant challenge in a polarizing world and in an era where disparities in wealth and power are growing between developed and developing countries as well as within countries. Harper and Rajan (2002) have identified three ways in which rich countries of the Global North exploit the ecology of poorer countries: (i) as a source of raw materials for the North; (ii) as a sink where the North can dispose of pollution and environmental “side effects;” and (iii) through “coercive conservation” as a preserve for wild ecosystems and biodiversity without consideration of the human communities living in or near wildlife habitats.

International environmental justice provides other arguments for any negotiated agreement on global environmental governance. North–South differences in the perception of sustainable development illustrate this point. For instance, discussions at the 2002 World Summit on Sustainable Development in Johannesburg revealed that for countries from the North, sustainable development means environmentally and socially supportable

development (i.e., increased environmental protection without compromising on maintaining and increasing standards of living). In contrast, for the countries of the South, sustainable development is primarily an issue of equity and justice at the global level (including the right for them to develop their economies in the same way as the North does).¹⁴

Another perspective on how we might look at the distribution of environmental benefits and harm is that of future generations and nonhuman beings. A hallmark event in the environmental movement was the report of the World Commission on Environment and Development issued in 1987 (known as the Brundtland Commission). The Brundtland Commission “pleaded with governments to consider the time dimension in all their decisions and to weigh benefits in the present against losses in the future” (Sachs 2002: 113).

In addition to the most frequently used definition of sustainable development as one “that meets the needs of the present without compromising the ability of future generations to meet their own needs,” the Commission also stressed that “inequality is the planet’s main environmental problem” (WCED 1987:17). Intergenerational rights for the environment can thus be seen as an intergenerational environmental justice issue. In this discourse, we are still in the realm of the human population, but there are also rights of other inhabitants of the planet. Some authors (e.g., Baxter 2000; Low and Gleeson 1998) talk about “ecological justice.” Low and Gleeson (1998:2) define environmental and ecological justice as follows:

The struggle for justice as it is shaped by the politics of the environment ... has two relational aspects: the justice of the distribution of environment among peoples, and the justice of the relations between humans and the rest of the natural world. We term these aspects of justice: *environmental justice* and *ecological justice*.

This is an important aspect of the discourse, because all the issues of social needs, environmental benefits, and economic opportunities must be seen in the limits imposed by ecosystems supporting our survival on this planet. In this context Agyeman and Evans (2004:5) talk about sustainability as “the need to ensure a better quality of life for all, now and into the future, in a just and equitable manner, whilst living within the limits of supporting ecosystems.”

¹⁴ See, for instance, the process of negotiations before the 2002 World Summit on Sustainable Development (WSSD). Materials available at: <http://www.johannesburgsummit.org/html/documents/documents.html>.

To summarize, environment-related justice might consist of three broad elements. It is justice toward future generations (or intergenerational justice), ecological justice (or justice related to nonhuman beings), and the distribution within the human space (intragenerational justice). In this book I focus on the last element, which often embraces dimension of the intergenerational justice and impacts on the future generations. Further, environmental justice encompasses the dimension of procedural justice. In other words, not only who gets what, but also what are the procedures involved.

If we start with the assumption that nobody needs a dirty or polluted environment to live in (unless we believe some people prefer this) and nobody really deserves this (unless we believe that an adverse environment should be a kind of punishment for a certain class or ethnic group) then environmental justice is about the just distribution of environmental benefits and no discriminatory exposure to environmental harm. Environmental justice thus consists of two interlinked aspects: distributive and procedural.

In my understanding of environmental justice I build on extensive research from the United States (and partly from the UK), where the question of distribution of environmental benefits and harm emerged from community struggles for a fair share of exposure to toxic substances and where this struggle has focused on the immediate improvement of people's living conditions. I believe that the lessons learned have potential to shed a light on cases of the unequal treatment in Central and Eastern Europe, in general, and Slovakia, in particular. The tales of community struggles can also inspire people exposed to adverse environmental impacts in Roma shantytowns.

I approach environmental justice as a form of social distributive justice among human beings in the present time and within ecological limits. In doing this, we have to also focus on the social process and its outcomes—how people receive their share of benefits and harm. Environmental justice is then fair treatment and recognition of all stakeholders in the processes related to distribution of environmental benefits and harm, while the distribution itself is done in a way that no social or ethnic group bears an unequal share of environmental harm or is blocked from accessing environmental benefits. Yet what are “just” and “justice” in the distribution and procedural processes?

The question of justice is as old as humanity. It has been a central point of ideologies, regime justifications as well as protest movements and even revolutions for ages. It was the driving force in the bourgeoisie revolu-

tions in the 18 and 19-century Europe as well as in attempts to establish communist regimes in the 20. century. Yet conceptualizing the issue of justice in its variety of forms is no easy task. And even if we were to agree on what justice is, how can we promote it?

Since the early 1970s the issue of justice, especially social or distributive justice, has also been at the center of attention in political philosophy (Baxter 2000). The cornerstone in these efforts is John Rawls's breakthrough study, *A Theory of Justice* (1971), which provides a comprehensive exploration of the principles of justice using the frameworks of liberty, distributive shares, duties and obligations, and public good.¹⁵ According to Dworkin (1977), every plausible political theory has the same ultimate value, which is equality. In other words, all viable political theories are "egalitarian" theories. Kymlicka (1990:17) claims that this suggestion is false if "egalitarian theory" is to be interpreted as a theory that supports the equal distribution of income:

Egalitarian theories require that the government treat its citizens with equal consideration; each citizen is entitled to equal concern and respect. . . . While leftists believe that equality of income or wealth is a precondition for treating people as equals, those on the right believe that equal rights over one's labor and property are a precondition for treating people as equals.

Inserting an environmental dimension into Kymlicka's division between the left and right schools of political thought, environmental justice might be seen from the "leftist" as well as from the "rightist" perspective. The leftist perspective would be that inequality in income and wealth contributes to the marginalization of those worse-off when it comes to distribution of adverse environmental impacts. Alternatively, the rightist perspective would be that individuals do not have equal rights over their properties, that is they are not able to influence external environmental conditions that have a direct impact on their property or life.

The importance of property rights for better access to environmental benefits and for better protection against environmental harm is a rather controversial issue. It helps those possessing such rights, but might effectively block those without them. The core problem we see in the Roma shantytowns is that exclusion of people from any control of the resources

¹⁵ This approach was subject of criticism by Robert Nozick, in his book *Anarchy, State, and Utopia* (1974). His critique of Rawls builds on arguments, that the sacrosanctity of life made property rights non-negotiable, such that an individual's personal liberty made state policies of redistribution illegitimate.

is an outcome of discrimination, and inequality in income and wealth. In a situation where marginalized people have practically no access to property rights and entitlements, there is a minimal chance for horizontal mobility and there is a need for outside assistance to provide equality of income or wealth as a precondition for treating people as equals. Distributive justice is the basic condition for the procedural aspects of distribution.

Procedural justice is defined—by most schools of thought—as a concept involving the fair, moral, and impartial treatment of all persons, especially in law. It is often seen as the continued effort to do what is right, where the “right” is determined by consulting the majority, employing logic, relying on cultural and historical patterns of behavior and values, or referring to divine authority.

Distributive justice concentrates on *just outcomes*, while procedural justice concentrates on *just processes*. As already mentioned, environmental justice encompasses both distributive and procedural dimensions. It is fair treatment of all people regardless of class or color in procedural decisions relevant to the distribution of environmental benefits and harm. At the same time, leveling the social disparities in income and wealth is essential for addressing marginalization of those worse-off when it comes to the distribution of adverse environmental impacts.

Addressing environmental injustice then means reaching distributional justice through procedural justice in a way defined by Vilfredo Pareto in his Pareto improvement:¹⁶ A change that can make at least one individual better off, without making any other individual worse off. For example, if a hazardous waste facility is not built in a poor marginalized neighborhood but in an area away from the majority of people (or is not built at all because of waste reduction projects, or introduction of cleaner production), nobody might be worse off, but many people might be better off. If Roma from marginalized settlements gain equal access to potable water, it is not decreasing anybody else’s access to water in a country like Slovakia, which possesses an abundance of this natural resource. It is not always possible to reach a “zero-sum game” and some people might lose (e.g., it might simply not be possible to find a place for a municipal landfill that would not affect anybody). But is important that any such decision is reached with the involvement of all relevant stakeholders, discussion of pros and cons of different alternatives, and with compensation for the losers.

¹⁶ See, for instance, Pareto (1976).

What Can We Learn from the Justice Struggles?

Understanding environmental justice as an intragenerational issue is close to the concept of environmental justice as developed in community struggles in the United States. Although the approaches from the United States might not adequately apply to the specific historical, social, and cultural context of Eastern Europe, they provide important theoretical background, information, and examples of lessons learned. The understanding and framing of environmental justice as it developed in the United States is strongly linked to the environmental justice movement. As Kurian (2000) observes: "They [environmental justice movements] seek to bridge the concern for social justice and equity with resource management and environmental policy concerns." At the beginning of the 1980s, environmental justice emerged as a concept in the United States. Pointing to a particular date or event that launched the movement is impossible, as it grew organically out of dozens, even hundreds, of local struggles and events and out of a variety of social movements (Cole and Foster 2000; Shelton 1999). Nevertheless, there are several cases often mentioned as milestones, including Houston Northwood Manor protest against sanitary landfill (1978); Warren County, North Carolina protest of African Americans against a toxic waste dump in 1982; or Triana in Alabama, where a tiny black community was contaminated with DDT from the Redstone Arsenal Army base (1983).

These and other examples are often labeled as watershed events of the protest movement seeking to address inequalities in the distribution of negative impacts of environmentally damaging activities (Bandy 1996, Bullard and Johnson 2000; McGurty 2000). Another conflict related to the movement's beginnings took place in Love Canal, New York. In this case, houses were built on abandoned toxic waste dump and sold to people without any notice. Love Canal serves as a landmark event in the fight for clean communities and the protection of public health at risk from environmental problems (Robinson 2002). This case brought the anti-toxics movement into national prominence. President Jimmy Carter declared Love Canal a disaster area and evacuated residents of a housing development.

Cases such as Warren County and subsequent academic studies showed that the socially disadvantaged groups or members of a minority ethnic group are more likely to be exposed to environmentally problematic infrastructure such as toxic waste dumps. In large part, their vulnerability is due to limited political organization, discrimination, or lack of resources

for effective participation in decision-making. Whether environmental injustices are predominantly driven by race or class inequalities continues to be explored, especially in scholarly circles. Hockman, for example, came to the conclusion that notably “in a comparison among those studies where the effect of race were also included, race was, in six studies, the more dominant factor in predicting exposure to toxins, while social class had, in three studies, the greater impact.”

The 1987 study, *Toxic Waste and Race*, sponsored by the United Church of Christ, concluded that “race was the central determining factor in the distribution of chemical hazard exposure in the United States” (Bowen and Wells 2002). It, however, concluded that class played an important role as well. In 1990, Robert Bullard published *Dumping in Dixie: Race, Class, and Environmental Quality* as the first textbook on environmental justice. Building on the study and growing evidence of links among class, race, and pollution, the United Church of Christ Commission for Racial Justice co-organized in 1991 the First National People of Color Environmental Leadership Summit. The proceedings put forth the following definition of environmental justice:

Environmental Justice—is the fair treatment of people of all races, cultures and income with respect to the development, implementation and enforcement of environmental laws, regulations, programs, and policies. Fair treatment means that no racial, ethnic or socioeconomic group should bear a disproportionate share of the negative environmental consequences resulting from the operation of industrial, municipal, and commercial enterprises and from the execution of federal, state and local, and tribal programs and policies (UCCCRJ 1991).

The environmental justice movement has been growing and has stimulated a number of studies that have attempted to verify or question the link between pollution and social factors in its distribution. In 1993, Robert Bullard reached conclusion, that 60% (15 million) of African-Americans live in communities with one or more abandoned toxic waste sites. Of the nation’s licensed commercial landfills, 60% are located in predominantly African-American or Latino-American communities. This accounts for 40% of the nation’s total estimated landfill capacity.

Environmental justice research and its outcomes also inspired people in other countries. As new forms of environmental discrimination and injustice are reported and analyzed, the scope of the mainstream environmental justice movement as developed in the United States has gradually become too narrow. Stephens and colleagues (2001:5) observed:

Activists and academics in the US have led the way in developing the environmental justice approach. This has generated valuable insights and provided an effective basis for informed activism. However, despite a recent move towards tackling “transportation equity” the USA’s focus has mostly been on tackling pollution from landfills and industrial sites.

This focus might be partly seen as an outcome of the specific circumstances that formed the basis of the movement and partly as a logical decision of the movement leaders to concentrate on cases where it is relatively easier to provide evidence linking pollution and ethnic or social factors. The U.S. environmental justice movement has initially inspired further research and activism especially in the United Kingdom, which took a slightly different scope and approach. It also generated academic disputes and questioning of U.S. approaches to the environmental justice.

I see the strength of the U.S. approaches exactly in its predominant focus on the concrete problems of concrete people in their social and economic context. This does not mean we have to uncritically frame our environmental justice research in the same way. As Horst-Dietrich Elvers *et al.* suggest, the realities of most European societies differ to those in the US, where we see a rather narrow understanding of environmental justice restricted to a certain group or ethnic minority (or people of colour). The important challenge is to outline a concept of environmental justice as an inherent feature of controversial decision processes. These may relate to any kind of regulation perceived to affect the environments of heterogeneous stakeholders. (Elvers *et al.* 2008: 836)

The prevailing approach in the USA is focused on how environmentally problematic facilities are built and what is the special distribution of pollution. Environmental benefits are not explicitly mentioned, but it is assumed that clean air and uncontaminated soil and water are part of the quest for equality in bearing impacts of environmental harm. However, we might look at environmental benefits from the perspective of impact of industrial production and consumption. Two areas emerging in the literature and agenda of international and domestic organizations are access to water and access to nature.

Access to clean water is one of the most pressing global problems and there is no shortage of literature, programs, and projects on it. The United Nations Millennium Development Goals aim to reduce between 1990 and 2015 the proportion of people without sustainable access to safe drinking water by half, especially in developing countries. However, also in the developed countries access to water might represent a substantial problem for some people. A closer look at how access to potable water or municipi-

pal water supplies is differentiated based on class or race might shed some light on the problem of equality in access to this natural resource.

The Rural Community Assistance Partnership (RCAP) in its 2001 study *Still Living Without the Basics in the 21st Century: Analyzing the Availability of Water and Sanitation Services in the United States* analyzed access to water among the population in the United States, with special attention to poor people and ethnic minorities. Based on the census data from 1990 and 2000, the study came to the conclusion that the proportion of people who live without access to basic water and sanitation services is statistically small—0.64 percent of all U.S. households. But that 0.64 percent translates into 670,986 households, representing more than 1.7 million people who lack complete plumbing facilities. Not surprisingly, many of the people affected are the poorest of the poor, living in sparsely populated rural areas or in densely populated urban areas. The study also revealed a higher number of the affected people among ethnic minorities.

Another area where we find the focus of the recent environmental justice research is access to the countryside. Extensive privatization of agricultural land and forest in Central and Eastern Europe might create gross inequities in a short period. Agyeman (2002) in his account of the construction of environmental justice in the United Kingdom identified as one interesting aspect access to the countryside by those from ethnic minority groups. This is a very interesting and important question for studying Roma communities of Eastern Slovakia. Especially because many of the people heavily depend on natural resources (e.g., firewood) provided by their surrounding environment.

According to Stephens et al. (2001), the main limitations of the U.S. approach is too much emphasis on cases of environmental injustice in localized geographical areas, ignoring the fact that environmental justice is a global and intergenerational issue. Analyzing U.S. literature on environmental justice, I tend to disagree that it does not extensively incorporate global issues. There is relatively extensive concern among the U.S. scholars about the impacts of U.S. policies on other countries and equity in distribution of environmental impacts from these activities (e.g., Bandy 1996; Berman 1996; BI 2002; Gedicks 1993; Geisler and Essy 2000; Schosberg 2004).

It is important to understand global and national context, while keeping focus on local problems. The strength of such approaches is that it provides support for the mobilization of people on the local level and the ability to influence the decision-making process when it comes to “real world” cases. Because there are always dangers, that we might tend to see cases of environmental injustice as isolated extreme cases, instead of system failures. The same forces of production and consumption patterns that

avoid external environmental and social costs of production, and internal contradictions of capitalism operate on global scale with local impacts.

Globalizing economic trends in the context of differences between countries help us also in understanding how to bridge the gap between research and practice. For instance, as (Agyeman 2002:21) points out: "There is no comparable Civil Rights movement [in the U.K.], just a well-organized if very unrepresentative environmental movement." The dimension of justice, equity, and rights is therefore put on the agenda by different people representing different stakeholders.

The point is that different approaches should and could in reality influence each other, as well as scholars and activists in the other countries. We need movement focused on solving concrete cases of the unequal exposure to risks, but we also need to be aware that environmental issues are global issues. Environmental impact from production will not disappear with moving of a coal-burning factory from Europe to South Africa. Although for some people in Europe it improves local environment, others will be affected. Not to mention all of us might be affected by the climate change, which does not recognize the boundaries drawn by people on the maps of the colonized planet.

What can we learn from the U.S. movement and the U.K. approaches? Cole and Foster (2000) describe how environmental justice struggles in the United States are often led by people with no political organizing or activist experience before a particular toxic struggle: "It is a common story in the anti-toxics movement, in which residents, primarily women, are galvanized to action by threats to their health, their families, and their communities." Contrary to the U.S. situation, cases of community struggles for equal treatment in the distribution of environmental harm in the United Kingdom are led by professional environmental organizations with highly educated staff and international expertise (e.g., by Friends of the Earth England, Wales and Northern Ireland, and by Friends of the Earth Scotland).¹⁷ As described by Agyeman (2002):

There are currently at least three different constructions of environmental injustice [in the U.K.]. These are outlined in terms of access to the countryside among those from ethnic minority groups, Friends of the Earth England, Wales and Northern Ireland's "Pollution Injustice" campaign and Friends of the Earth Scotland's Campaign for Environmental Justice.

¹⁷ There are two separate but closely collaborating branches of Friends of the Earth International in the U.K. It is Friends of the Earth England, Wales and Northern Ireland; and Friends of the Earth Scotland.

The attention of Friends of the Earth was focused on Integrated Pollution Control (IPC) sites.¹⁸ Their report showed that 662 of the sites within the IPC system in England and Wales are located in areas with household income of less than £15,000, while only five are in areas where average household income is above £30,000 (FoE 2001). An interesting point in constructing environmental justice in the United Kingdom is broadening the focus to embrace the distribution of environmental benefits (e.g., access to the countryside among those from ethnic minority groups). However, in all these cases, issues of environmental injustice are discussed at a state or regional level without any clear target for action. From this perspective we could label the U.K. approach as more “top-down” than the variety of environmental justice protests on the grassroots level in the United States. Nevertheless, the results of studies conducted by the Friends of the Earth in the United Kingdom and in Scotland have confirmed that the U.S. experience where communities lacking economic and political power are the most likely to be selected as sites for dumping waste and pollution (Scandrett 2000; Stephens et al. 2001). Abandoned factories and industrial sites are most likely to be left in poor communities and to attract marginalized underclass newcomers.

The report *Environmental Quality and Social Deprivation* commissioned by the U.K. Environmental Agency (Walker et al. 2003) concluded that the three main areas of environmental quality and social deprivation in England are (i) flood hazard; (ii) integrated pollution control sites; and (iii) air quality. The indicative tidal and fluvial floodplain maps produced by the authors were used to relate to income data. The outcome is that the tidal floodplain analysis shows a clear relationship with deprivation. Among the population living within the tidal floodplain there are eight times more people in the most deprived decile compared to the least deprived.¹⁹ IPC sites analysis confirming Friends of the Earth’s conclusions that for the United Kingdom there is strong evidence of a socially unequal distribution of IPC sites and associated potential impacts. Out of the estimated 3.6 million people living within 1 kilometer of an IPC site, there

¹⁸ Operators of the most potentially polluting processes “prescribed processes” specified in the amended Environmental Protection (Prescribed Processes and Substances, Regulations 1991/472) have to apply for prior authorization from the Environment Agency to operate the process. IPC requires operators to consider the total impact of all releases to air, water, and land when making an application. More information available at <http://www.advisorybodies.doh.gov.uk/comeap/statementsreports/goodpracticeguide.pdf>.

¹⁹ The deciles provide ten ranked groupings of wards, from the 10 percent most deprived to the 10 percent least deprived.

are six times more people from the most deprived decile compared to the least deprived.

The experiences from the United States and the United Kingdom illustrate different ways of constructing environmental justice and point to the importance of local conditions in analyzing the types and scope of unequal treatment. They also highlight the importance of history and the organization of civil society in forming policy responses for addressing cases (and especially roots) of environmental injustice.

Approaches developed in the United Kingdom in the same time provide inspiration for how to better construct environmental justice and how we might look at a variety of unequal exposure to harm or access to environmental benefits. Conversely, the U.S. experience illustrates the importance of the connection between grassroots activism and science in addressing the case of environmental injustice. This is an important lesson for analyzing, constructing, and addressing cases of environmental justice in the Slovak context.

The second important aspect imposed mainly by the U.S. experience (present in the United Kingdom to a lesser extent) is a relative value of class and race as key contributing factors. Pellow (2001) summarizes, those stakeholders who are unable to mobilize resources (political, economic, etc.) will most likely endure the most of environmental inequalities. Poverty and exclusion based on racial discrimination are effective inhibitors of mobilization. Is Roma exposure to the environmental threats and discrimination in access to environmental benefits a class or race problem? In other words, is environmental justice predominantly about race discrimination or is it more connected to the class status of the affected people? In either case we are talking about groups disadvantaged by developers, decision-makers, or simply by the more powerful and influential segments of society. But relative weight of each of the two factors matters in searching for solutions.

The studies suggest that in the case of the United States, race is more important than class (Bullard 1993; BI 2002; Bryant and Mohai 1998; Byrne et al. 2002; Novotny 2000). In the studies conducted in the United Kingdom it is more of a class phenomenon (Agyeman 2002; Walker et al. 2003). It seems that the importance of class and race depends on case-specific circumstances, economic and social conditions and last but not least on the historical patterns developed in the given society.

How to approach research on race and class factors in the decision making is rather tricky issues. Very often boundaries between different social and ethnic groups are unclear and the communities are mixed. It is

then difficult to distinguish what plays the more important role. I see race and class as two deeply interlinked aspects of the same problem. Both are key factors contributing to environmental injustices. However, in relative terms race might be a stronger driver in marginalization and discrimination as poor people might have better networks and access to their well-off neighbors and decision-makers of the same ethnic origin. Besides financial capital, there is symbolic, cultural, and social one, which might diminish the role of the relative poverty and play an important role in the distribution of environmental benefits and harms (for more on this, see Chapter Eight).

The race factor was definitely more important in the United States during the formation of the environmental justice movement. Cases of unequal treatment have created a civic response that may be seen essentially as a continuation of the civil rights movement, because it is deeply linked with movements for racial justice and anti-discrimination. According to Novotny (2000), the movement is embedded in past struggles (housing, labor, civil rights) and frames the environment and the environmental justice movement with language that recognizes and reinforces connections between environmental justice and these struggles. Thousands of these groups used and continue to use direct action protest to make their demands²⁰ (Cole and Foster 2000). We may frame it as “bottom-up” protests and demands for equality.

As the saying goes, there are no free lunches in the market economy and there is hardly any policy response without pressure from the affected people. Increasing scientific evidence and the growing influence of the movement had affected government activities in the United States. First, President Bill Clinton’s Executive Order 12898 on “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”²¹ was adopted, forming the basis for regulating the activities of the U.S. Environmental Protection Agency (EPA). Second, the executive order led to the development of a broad EPA program on environmental justice and to the development of a Draft Environmental Justice Strategy.²² Finally, the federal government allocated money for addressing

²⁰ They are only loosely organized under several national umbrella organizations (e.g., Citizens Clearinghouse for Hazardous Waste).

²¹ Executive Order 12898 (EO 12898), February 11, 1994.

²² The United States’ Environmental Protection Agency defines Environmental Justice as the “fair treatment for people of all races, cultures, and incomes, regarding the development of environmental laws, regulations, and policies” (EPA 2002). The draft strategy of environmental justice was developed in 1996 (EPA 1996).

cases and impacts of industrial hazards (the Superfund). Nevertheless, as one EPA official points out, this is still considered only the beginning, and there is a need for substantial research on correlations among class, race, and pollution as well as allocation of more funds for remediation of contaminated sites.²³

The U.S. path is based on combination of pro-active approach (involvement of the environmental justice criteria into the decision-making) and remediation. With all limits of the pro-active approach practice and experience, it points to the importance of institutionalization of participation and recognition.

Cases of environmental injustice often start as a problem of justice in procedures associated with the distribution of environmental benefits and harm. Institutions are biased, politically weaker groups are not heard and neglected in the decision-making process, and the decisions are manipulated by those with social and financial capital. This could be especially relevant for countries that lack a tradition of pluralism built on the past social struggles and have a weak record of public involvement in decision-making processes (e.g., countries of Central and Eastern Europe).

There are three conditions relevant in the distributive aspect of the environmental justice: (i) a good policy and legislative framework; (ii) strong institutions with well-defined competencies; and (iii) recognition of the participants' diversity. Rhodes (2003) points out to the problem of lack of participation by some communities in the environmental policy- and decision-making processes, and the asymmetry of governmental and private sector responses to the environmental concerns and demands of minority and low-income communities. Pellow (2001) emphasizes institutional inequality as a major driver of environmental injustices.

Rhodes (2003) and Pellow (2001) then both amplify a very important problem: that it is not enough to have institutions and mechanisms for participation in decision-making in place. It is also important to determine who has access to these institutions and how voices of the politically weaker groups are heard and reflected in the decisions. Or as Ian Macduff and Amanda Wolf (1999) put it: "[environmental justice] is not simply a result of proper State institutional design, but arises out of the process by which environmental disputes are negotiated."

The environmental justice movement started with the demand for equality in the distribution of environmental harm. Yet, besides *inequality*,

²³ Personal interview, at the EPA Office of Solid Waste and Emergency Response, Washington, DC, March 2004,.

we must speak about *recognition* of the diversity of the participants and experiences in the environmental justice movement. This is often not put into practice and theorists and practitioners often highlight either the former or the latter aspect (Schosberg 1999). Schosberg further suggests that the environmental justice movement, through its focus on both the distribution of environmental ills and the recognition of the communities involved, contains within it the potential to move beyond this theoretical impasse in political practice.

This perspective of looking at environmental justice as not only a problem, but also as an opportunity is very important. First, it provides space and opportunity for recognition, empowerment, and involvement of marginalized groups in the procedures relevant to the distribution of environmental benefits and harm. Second, environmental justice with its focus on distribution and procedures leading to the distribution might provide what Macduff and Wolf (1999) call “middle ground,” where the logic of private (e.g., market transactions) and public (e.g., parliament or administration) decision processes overlap.

This middle ground may provide space for merging environmental and social goals in a way that they will reinforce each other. As Harvey (1999) puts it: “The coupling of the search for empowerment and personal self-respect on the one hand with environmental goals on the other means that the movement for environmental justice twins ecological with social justice goals in quite unique ways.” This makes the environmental justice cross-sectoral and broad enough to engage groups and individuals with various backgrounds in the environmental dispute. In other words, environmental justice may provide grounds for participation, recognition, and merging environmental and social goals.

Central and Eastern Europe

According to the Slovak Republic Constitution: “Everybody has the right to a favorable environment.”²⁴ But this does not necessarily mean that all people, regardless of class or race, have access to a fair share of environmental benefits (e.g., access to nature, safe sources of clean water and air) or are proportionally exposed to the adverse effects of environmental deg-

²⁴ Chapter 6 (the right for the protection of the environment and cultural heritage), Article 1 of the Constitution of the Slovak Republic, adopted as the Act No. 460/1992, www.nrsr.sk/main.aspx?sid=nrsr/dokumenty.

radation (e.g., emissions, location of hazardous waste processing facilities, polluting industries).

The debate about the causes of environmental problems and the distribution of adverse effects of industrial production in former socialist Czechoslovakia (or in CEE generally) has been delayed and simplified in comparison to the Western world, mainly because of political oppression, as well as limited access to literature, information, and contacts with the “outside” world. Nevertheless, even in this environment there were cases in CEE generating public concern and discussions prior to the political changes in the late 1980s and early 1990s.²⁵

The protests started against “socialist industrialization,” extensive pollution, and political exclusion. Demands for social equality and justice were present in what “ordinary people” saw as centralized economic policies and practices—not being good for the environment or good for most people. They initially targeted what were seen as “excesses” of the centrally planned economy, and focused on how industrial growth disproportionately affects inhabitants in the region, impoverishing them and imposing on them unequal environmental and health burdens. And at the heart of these criticisms were demands for more political inclusion.

The early 1990s black-and-white picture of an unlimited market as the tool for solving all environmental—not even speaking about economic and social—problems has gradually been followed by disillusionment with the environmental and social impacts of development. Although the environmental situation in CEE improved during the early stages of transition (mostly because of the decline in industrial production, and new environmental legislation introduced partly through the EU accession process),²⁶ as industrial production started to grow and consumption patterns increasingly resemble developed countries, new issues emerged and pressure on the environment again increased. In this development Central Europe follows the “old” European countries paths’ as described by Beck (1999): “The past decade has shown that the dogmatic free-market economics imposed throughout the 1980s—and to which every world and

²⁵ See, for instance, the cases of “Black Triangle” in the border regions of Germany, Poland, and the Czech Republic, or the Danube River’s Gabčíkovo Dam and its role in the formation of Hungarian protest movements in the late 1980s (Pickvance 1998; Tickle and Welsh 1998).

²⁶ EU environmental legislation is then mostly an outcome of the single European market concept. For more information on the EU environmental policy development, see Barnes and Barnes (1999) or McCormick (2001).

nation forum has since signed up—has exacerbated environmental risks and problems just as much as central planning from Moscow ever did.”

In a similar vein, Andrew Dobson (1998, 2000) talks about the “super-ideology” of industrialism as the main opponent of sustainable development. From a purely ecocentric perspective, the differences between communism and capitalism are negligible. Both are based on permanent economic growth, expansion, and bureaucratic control (Dobson 2000). At the more concrete level of particular issues, it is possible to determine whether a sustainable approach is closer to a liberal, conservative, or socialist perspective. We might speak in this sense about command and control approaches to nature protection, against market-based economic incentives in the air protection realm, for instance. Yet the most problematic feature is that an understanding that there are limits to growth is virtually nonexistent. This is true for the former and present regimes in CEE.

The question arises: How are adverse impacts of industrialism distributed throughout the population? The official policy in the former socialist regime was that there were no poor people and conditions and opportunities were equal for all. Although these societies were relatively egalitarian, social stratification and marginalized groups nevertheless existed. The transition of the CEE economies has led to further impoverishment of groups and individuals with low adaptability to the new conditions, among them Roma (Emigh 2001; Varmeresch 2003, 2010; WB 2000, EC 2011). People lacking education and marketable skills are those most hurt by the transformation. These people are poor, but are they also affected by adverse impacts of industrial development?

The environmental justice analytical framework as emerged in the United States, and as developed and broadened in the United Kingdom, provides an important point of departure for studying the environment of the ethnic and social minorities in countries of Central and Eastern Europe. Nevertheless, the social and demographic situations, history, and patterns of settlements and policies are substantially different from the situations where environmental justice scholars have worked in both of the above-mentioned countries. Therefore an adjustment and elaboration of the environmental justice framework is crucial before it can be applied to research in the region. Participants of the first workshop on “Improving Environmental Justice in Central and Eastern Europe” developed the following definition of environmental justice relevant for the CEE region in December 2004:

A condition of environmental justice exists when environmental risks and hazards and investments and benefits are equally distributed without direct or indirect discrimination at all jurisdictional levels and when access to environmental investments, benefits, and natural resources are equally distributed; and when access to information, participation in decision-making, and access to justice in environment-related matters are enjoyed by all.²⁷

Taken together, these understandings of environmental justice encompass both distributive and procedural aspects and their universal validity. However, varieties of the unequal treatment and social processes related to them differ from those in the United States or the United Kingdom. Given the different geographical conditions, history, and level of social and economic development, they might also differ among the CEE countries (Antypas, Filčák, and Steger 2008; Filčák and Škobla 2011; Steger and Filčák 2008; Steger et al. 2007).

The concept of environmental justice as it emerged in the United States is concentrated on cases of sitting new hazardous waste facilities or the problem of past environmental liabilities. Although this was a valid starting point for analyzing cases of Eastern Slovak Roma settlements, I realized that the forms of unequal treatment in Slovakia might differ. Given the geographic conditions and regular presence of floods in the research area I added this to the list of potential types. Access to water was added as an issue based on the initial discussions with people dealing with Roma communities. The following areas and problems were outlined as a hypothesis in the beginning and confirmed by the subsequent research:

Housing and floods (environmental conditions in the area before the Roma settled). For the Roma, a basic human right—the freedom to move—is restricted. Because Roma are mostly unwelcome by the majority population, they are not free to settle in any place they choose, (see Scheffel 2005; Filčák 2010). And even if they are allowed to stay, they might be pushed to leave their settlements. Many cases in Slovakia may illustrate this trend. For instance in the 1970s the locals untied and forced Roma families to move from the Borov village out.²⁸

As a result, many Roma have settled in villages isolated from economic and political center, where they found tolerant local people. Within

²⁷ Organized by Centre for Environmental Policy and Law, Central European University, Budapest, Hungary, www.cepl.ceu.hu.

²⁸ Personal interviews in the summer of 2005. One middle-aged man was even evidently proud and happy that they do not have a single Roma in the village and he took this as an evidence of what a good community they have in the village.

these villages, they were usually allowed to settle in places designated by the majority population, which controlled the land. Consequently, Roma rural housing was often located in areas unattractive to the majority population (e.g., in places that are devastated by industrial production, contaminated, regularly flooded, or otherwise problematic from an environmental point of view), and thus not considered suitable for commercial purposes or settlement by the majority population.

Management of access to resources (conditions after the Roma settled). Discrimination against the Roma, their marginalization, and limited share of entitlements have resulted in missing political influence, lack of effective know-how for participating in decisions concerning their living environment and the allocation of resources for building infrastructure. This also limits their access to governmental and other funds, which are indispensable for constructing water supplies and sewage treatment.

Hostile municipalities might even block the inflow of grants for the Roma.²⁹ Decisions on allocation and distribution of funds on the municipal level might favor the majority population. This is particularly the case for environmental infrastructure for water and sewage management. A discriminatory pattern of waste management in villages was added into my analyses later based on the outcomes of the field research.

Specific conditions and the situation of Roma communities contribute to specific forms of unequal treatment in access to environmental benefits and exposure to environmental harm. Identifying and categorizing cases and forms of environmental injustice is inevitably the first step. Yet how can we explain why Roma are exposed to different treatment in the distribution? Part of the answer is in the ownership, control, and management of entitlements.

Entitlements: Resources and Control

Whoever owns land and/or has power and control over resources distribution, may heavily influence distribution of the environmental benefits and harm. For instance the spatial options of the settlement of the weaker and poorer members of the community. Here, we may therefore see how the distribution of entitlements and control sometimes leads to the creation of environmental (in)justice. In other words, injustice can be the outcome of

²⁹ Powerful account and analyses of this emerging problem is provided by David Scheffél (2005).

a distribution shaped by economic interests, competition over resources, ethnic prejudices and other social factors.

Why are entitlements important and what role do they play in relation to the unequal distribution of environmental benefits and harm? I view entitlements over natural resources as one of the key factors in community development. Those who control resources in a village enhance their capabilities and social networks. Those who are excluded from these entitlements are restricted in their development of capabilities and might experience a weaker position in society. Entitlements over the natural resources thus can be seen as an important factor in the environmental justice.

Entitlements were identified by Amartya Sen (1981, 1984, 1999) as the basic precondition for development of capability expansion. Sen is interested in how people gain and lose control over resources. His initial subjects of analyses were famines and access to food. He points out that “starvation is the characteristic of some people not having enough food to eat. It is not the characteristic of there being not enough food to eat. While the latter can be a cause of the former, it is but one of many possible causes” (Sen 1981: 18). In this sense, lack of benefits from natural resources is not always a problem of scarcity of resources (e.g., clean areas for settlement or potable water), but can also be a problem of who control entitlement to use these resources. Entitlement rights might govern access to natural resources and thus influence capabilities of different individuals and groups, and their well-being.

Sen (1984: 497) defines entitlements as the set of alternative commodity bundles that a person can command in a society using the totality of rights and opportunities that he or she faces. Many rights to natural resources are outcomes of complicated social processes at the local level and are not directly based on legally binding rules, written agreements or enforceable procedures. Alternatively social networks and decision-making power can be viewed as being based on social membership. As Leach *et al.* (1997, 1999) note, resource claims are often contested, and within existing power structures some actors’ claims are likely to prevail over those of others. Socially determined entitlements are more dynamic and liquid, and—crucially for entitlement analysis—less amenable to specification at the individual level than market-determined entitlements. The entitlement distribution outcome is then a rather complex mix of power relations, negotiations and differentiated interests of different social actors.

Building on the extended entitlements approach, I define entitlement as the state or condition of being entitled, or a right to benefits. This could be

formal, specified by law or contract, but in social reality there are also informal rules that govern management of natural resources and utilisation of associated benefits in a community (e.g., unwritten decisions, traditions or habits).

In his earlier work, Sen (1984: 166) amplified that it should be noted immediately that entitlements is a descriptive rather than a normative concept, which derives from legal rights rather than morality or human rights. Understanding of entitlements gradually broadened to encompass more structural and social aspects. One can possess entitlement over certain resources through ownership (e.g., inheritance, production, trade), or through rights legitimated by laws and rules (e.g., nominated or elected representatives with decision-making power). But it could also mean unwritten rules of management of common resources.

In his original formulation of the entitlement approach Sen was concerned only with legal ownership by individuals of alienable commodities. He ignored possibilities for weaker claims over resources, such as access and usufruct rights, as well as contexts where property rights are exercised institutionally rather than individually (Devereux 2001: 253). Yet, as the follow-up research reveals (and my survey of the Roma communities confirms), these are of principal importance for the analyses. Ownership and formal rules are important part of the puzzle, but it is equally important to take into analyses other social processes framing decision and its outcomes. An extended approach therefore sees entitlements as the outcome of negotiations among social actors, involving power relationships and debates over meaning, rather than as simply the result of fixed, moral rules encoded in law (Leach et al. 1997: 23).

Building on Sen's work, Melissa Leach and her colleagues further developed the concept of environmental entitlements. Leach et al. (1997, 1999) evaluate Sen's definition of entitlements as legal rights as too restrictive and consider it appropriate to extend the entitlements framework to the whole range of socially sanctioned as well as formal-legal institutional mechanisms for gaining resource access and control. They strictly distinguish endowments and entitlements:

Endowments refer to the rights and resources that social actors have. For example, land, labor, skills and so on. Entitlements ... refer to legitimate effective command over alternative commodity bundles. More specifically, environmental entitlements refer to alternative sets of utilities derived from environmental goods and services over which social actors have legitimate effective command and which are instrumental in achieving well-being. (Leach et al. 1997: 17)

Many rights to natural resources are outcomes of complicated social processes at the local level and are not based on legally binding rules, written agreements, or enforceable procedures. Here I focus on social networks and decision-making power based on social membership. As Leach et al. (1997: 18) point out, resource claims are often contested, and within existing power relations some actors' claims are likely to prevail over those of others. Socially determined entitlements are more dynamic and liquid, and—crucially for entitlement analysis—less amenable to specification at the individual level than are market-determined entitlements. It is thus important to perceive outcomes (entitlement distribution) as a complex result of power relations, negotiations, and differentiated interests of different social actors.

Both Sen (1981, 1984) and Leach et al. (1997, 1999) see entitlements as a strong driver of community development. Those who have entitlements benefit; those who do not might suffer. Distribution of entitlements on the local level is also an important factor for the development of environmental inequalities. It has special significance in the cases where there are two (or more) groups competing over the resources, as is the case in villages in Eastern Slovakia inhabited by Roma and non-Roma.

Although in the case of individual properties it is usually easy to define who is entitled to benefit from them, and there are extensive legal options for how to protect these entitlements, in the case of natural resources and environmental benefits it is more complicated. By studying and understanding mechanisms of their distribution we might better understand social processes and community development. As Sen (1981: 48) points out, in many cases the appropriate characterization of entitlements might pose problems, and in some cases it might well be best characterized in the form of “fuzzy” sets and related structures.

Building on Sen and Leach theoretical approaches, I work in this book with entitlements as legitimate effective command over certain commodity; especially, land for settlement. In other words, those in charge make decisions about distribution of utilities derived from environmental goods and services. Private ownership is part of the legitimated command, but equally important is the control of entitlements over the land with unknown, scattered owners and the land in the possession of the municipality and state. It is important to distinguish ownership, control, and access (Bromley 1989; Devereux 2001). In the situation of mixed and unclear ownership of unknown entities, where known owners are not particularly interested in their properties (e.g., because of little value, small size, fragmented or poor location), it falls to those in charge to make decisions.

Research of the Roma shantytowns reveals interesting facts. In theory, state and municipal land and properties belong to all people and should be utilized for the benefit of all. As elected bodies, municipalities should represent the interest of all inhabitants (constituency) and distribute entitlements in the way that is beneficial for the whole community. Yet in practice entitlements are subject to political, economic, and social struggles within the communities, and the stronger groups might manipulate the distribution (or nondistribution) in their favor. To paraphrase Sen, limited access to environmentally safe land for settlement is the characteristic of some people not having access to the places. It is not the characteristic of there not being enough suitable land.

Roma settlements in the environmentally problematic places are to a great extent outcome of the entitlement distribution over the land. Allocation and distribution of entitlements is a dynamic process where history matters and present social processes have great influence. Who can decide about exploitation of natural resources and who controls the management of natural assets have strong influence on strengthening or weakening of groups and individuals, and vice versa. The relative strength or weakness of different social and ethnic groups is reflected in the way the environmental benefits and harm are distributed.

Although in the case of individual properties it is usually easy to define who is entitled to benefit from them, and there are extensive legal options for how to protect these entitlements, it is more complicated in the case of natural resources and environmental benefits. By studying entitlements and through understanding of mechanisms of their distribution we might better understand social processes and the development of communities. In the entitlements analyses I focus on the land as the key factor in settlements location and thus level of exposure to environmental threats.

There are three main types of land ownership in Slovakia: private, municipal, and state property. Roma usually own most of the land under their houses in shantytowns, and they practically do not own any agricultural land or forest in villages included in the research sample.

To make any analysis more complicated, there are two additional and important factors. Substantial share of the rather specific category of land that belongs to "unknown owners." The land is *de jure* private; *de facto* it does not belong to any identifiable owner. The second interrelated factor is the outcome of the history, where land was traditionally equally divided among heirs. The result is often fragmented land divided among many owners, making any entitlements control based on ownership often only virtual, but non-existent in reality. This situation reinforce informal con-

trol of the entitlements and reflects relative strength or weakness of different social groups at the local level.

Today, many Roma settlements are found on the outskirts of villages, separated from the majority of the population by roads, railways or other barriers, disconnected from water pipelines and sewage treatment, and close to landfills or in regularly flooded areas. The location of these settlements confirms experience from other countries: access to natural resources and exposure to environmental risks are not equally distributed and class and/or ethnic affiliation play important role. I will describe and analyse later in the text, that the outcome does not predominantly depend on the land ownership (private, or collective), or on the form of governance,³⁰ but rather on broader economic and social interests of those in control. Exposure to environmental risks through entitlement allocation is the result. Yet, the allocation itself is a complicated social process.

Entitlement reinforces stronger groups, while its lack further weakens those groups who are deprived of access. This process might then take the form of a vicious cycle where the situation of the weaker group further deteriorates and the outcome is Roma shantytown defined as “beyond the pale” space for allocation of problematic environmental activities. Yet before we get to the present, it is useful to have a look at the history and how were present problems shaped in the long and complicated co-existence of different ethnic and social groups sharing the same space in Central Europe.

³⁰ This does not mean that different types of governance do not provide different opportunities and mechanisms for weakening or strengthening entitlements control.

CHAPTER THREE

The Roma of Slovakia

The Roma minority is probably the most distinctive ethnic group in Central and Eastern Europe. Different from their neighbors in culture, language, demographic structure, history, and education level, the Roma are a group facing racial discrimination, unemployment, and health problems (Guy 1975, 2001; Barany 1994, 2000; UNDP 2002; Džambarovič and Jurášková 2002; Schiffel 2005; Varmeersch 2010).

There are various estimates of the size of the Roma population in Europe, varying between nine and twelve million (EC 2004; ERRC 1999; Grienig 2010). There are 107,210 people declaring Roma nationality in Slovakia according to the 2010 census,³¹ but these data are considered unreliable because many people do not declare their nationality or ethnic affiliation. The 2004 survey carried out for the Office of the Cabinet's Plenipotentiary for Roma Communities is the most complex approach taken since the collapse of state socialism in the country. It indicates that 320,000 Roma live in Slovakia. This is approximately 6 percent of the total population, which makes Roma the second largest minority in the Slovak Republic after Hungarians.³²

The different estimates and numbers may result from the hesitance of minority members to label themselves as "Roma" due to the fear of oppression, because of a feeling of endangered minority or because of a desire to be part of the majority.³³ An assimilation policy has been for long time on the government agenda in Central and Eastern Europe—to various

³¹ The Slovak Statistical Bureau (Census 2010), <http://px-web.statistics.sk/PXWebSlovak/>.

³² The Slovak Statistical Bureau estimates the number of inhabitants in Slovakia to be 5,424,925 (Census 2010), <http://px-web.statistics.sk/PXWebSlovak/>.

³³ E.g., many Roma declare Slovak or Hungarian nationality in censuses or public opinion polls in the Slovak Republic.

degrees in different countries. It has been recently replaced by policies of multiculturalism based on principles of endorsing cultural diversity and the right of different cultural and ethnic groups to retain distinctive cultural identities.

The characteristic feature of the Roma is that, although they are seen from the outside as a homogeneous and compact group, in reality they consist of different subgroups and clans, often with different languages and culture. This, together with other social factors, has resulted in the inability of the Roma to unite or enter into political discourse and decision making at the state or local level (Šebesta 2003; Varmeresch 2010). Together with other factors, these conditions contribute to a situation in which Roma interests are often promoted by a “top-down” approach due to the influence of EU cohesion policies, human rights activists, and international organizations. The “bottom-up” pressure for recognition and promotion of their own interests seems so far marginal in the case of people from the Eastern Slovakian shantytowns.

Some Roma have spread and assimilated with majority populations; a significant number live segregated lives. Patterns of the Roma settlements vary from the virtual urban ghetto type in Czech, Hungarian, or Western Slovak towns to separate villages or shantytowns in Eastern Slovakia, Romania, or Macedonia. In most countries both types of settlement are represented.

There are many perspectives from which one can interpret the Roma situation. It can be addressed from the perspective of cultural and ethnic differences, racial discrimination, or poverty. I consider the Roma problem to be primarily a poverty problem, exacerbated by latent and open racism and discrimination. Poverty and inequalities relate to poor health conditions, low education levels, difficulties finding work, inequality of opportunities, and endangered environment. Discrimination in the school system and on the job market together with exclusion from decision making enhance further deepening segregation from society. Where are the sources of the poverty and discrimination is however extremely complicated economic and social question and the environment and access to natural resources is part of the whole (see Chapter 8).

It is often difficult to trace the origins of settlements and evaluate environmental conditions in these places prior to the Roma arrival. It is often not clear when exactly the settlements were established. One of the Roma-related myths is that they were nomadic people forced to settle down by the socialist regime in the 1950s. Historical sources and census data challenge this claim. In Slovakia many Roma had already become settled by

the fourteenth and century (Guy 1975, 2001; Jurová 2002b). An 1893 census revealed that of the 36,000 Roma in Slovakia less than 2 percent were nomads, what is very important is, that already in those times they formed separated and segregated settlements (Džambazovič 2001, Mann 1991, 2001). Although we can be skeptical about the ability of eighteenth-century administrations to properly calculate the number of nomadic people, it is safe to assume that some Roma settlements date back a hundred (or more) years, while some were established in the 20th century or only after World War II.

The Roma were often allowed to settle down when they were needed as a workforce in agriculture, as musicians, or as craftsmen. They lived on the land owned by nobility, towns, and municipalities (Jurová 2002a). What these settlements had in common was the established symbiosis between the majority population and Roma, with the latter possessing a certain role in the local economy.

In the twentieth century, there were two milestones in the economic and social transformation, both with significant impact on the Roma population. After 1948, the centrally planned economy ended the economic model of cooperation and relationship present in the villages for centuries. Then the 1989 return to free market economy destroyed Roma coping strategies developed during the centrally planned socialism, while return to the pre-1948 economic model of collaboration was impossible due to structural changes introduced with modernization of Slovakia in the second half of the twentieth century.

Industrialization of the rural areas and collectivization of the land after 1948 supported mass-scale production and provided low-profile jobs in companies and on cooperative farms. This allowed Roma to find enough employment opportunities and replaced those they lost in local economies. Never before has there been such a high demand for unskilled workers in the history of the country and the salaries were relatively high. Moreover, policies of the communist regimes were built on the ethos of work and employment. To be unemployed was a stigma and legal offence and people were actively pushed to work. There are, however, estimations that in the late 1980s this led to over-employment in the Czechoslovak economy by some 20 percent.³⁴

The second milestone is the political, economic, and social changes entering the Roma world after the collapse of the former regime of central-

³⁴ The 1988 estimates of the Institute for Forecasting, Czech Academy of Sciences (Published as "Souhrnná prognóza ČSSR do roku 2010").

ized socialism. The rapid economic changes reduced the demand for unskilled labor. In practice, this pushed the Roma minority deeper into a vicious circle of poor housing, unemployment, and deteriorating health. The socioeconomic impact of regime changes in Eastern Europe and the transformation from state-socialist regimes to nascent democracies has had profoundly negative effects on the region's Roma communities. Some twenty years after the changes, rather radical deterioration of the situation is evident.

The Past and the Present

The first historical evidence of the Roma presence on the territory of the Slovak Republic goes back to the fourteenth century. Until the beginning of the fifteenth century they lived mostly nomadic, in small enclaves and were not very visible in this multiethnic Hungarian part of the Austrian Empire. It was time of the first encounters, but also period of severe oppression and even direct physical attacks on Roma that lasted until the Age of Enlightenment and changed with the new policy framework adopted by the rulers of the Austrian Empire (especially Maria Theresa and Joseph II). The framework approach was now forced settlement and assimilation.

The new democratic regime of the 1918 newly formed Czechoslovak Republic did not change official policies toward Roma. In 1927 a new Act on Nomadic Roma impacted their rights; the act introduced special identification cards, restricted travel, prohibited ownership of weapons.³⁵

An important provision of the act—with respect to the location of the current Roma shantytowns—is the article on the selection of places for the settlement of nomadic Roma. The Roma were not allowed to settle in places of their choice, but were obliged to settle down in localities chosen by the mayors of the villages. The Fascist Slovak state, established under the auspices of Hitler's Germany during World War II, went further in the direction of restrictions of their freedoms (e.g., Roma and Jews were not allowed to serve in the army starting in January 1940) and introduced special work camps for Roma. The period culminated in the

³⁵ Act 117/1927 on Nomadic Roma, approved by the Parliament of the Czechoslovak Republic.

transport of thousands of Slovak Roma to the extermination camps in Nazi Germany.³⁶

The end of the war did not mean change in the attitudes and policies of the majority. One of the first legal acts in this respect was the directive of the new temporary government in May 24, 1945, where *Expozitúra Povereníctva Vnútra* (Department of Interior Affairs of the new government) adopted an amendment to the older directive from April 1940 on Governing Certain Conditions of Gypsies.³⁷ Paragraph 2 of the directive is of great importance. It states: "In villages where they [Roma] have dwellings in proximity to public, state-owned and other roads, the dwellings will be removed, placed separately from the village in distant places selected by the village" (Jurová 2002a).

The start of the centralized socialist state in 1948 brought new attitudes to the Roma—a socialist concept of a new society declaratively based on equity, extermination of poverty, and a class-free society. The new policy was oriented toward the assimilation of the Roma. In the mid-1950s, the Slovak government initiated extensive research on Roma shantytowns. According to their data, there were 1,305 isolated Roma shantytowns providing space for 95,092 Roma.

At the same time, socialist Czechoslovakia started the forced settlement of Roma and the subordination of Roma settlements to local authorities, appointed by the Communist Party. These policies undermined the traditional autonomous system of self-governance without providing an alternative. The 1958 Act No. 74, On the Permanent Settlement of Nomadic and Semi-Nomadic People, forcibly limited the movement of the Roma (perhaps 5–10%) who still traveled on a regular basis.³⁸ In the same year, the highest body of the Communist Party of Czechoslovakia passed a resolution that aimed to be the eventual assimilation of the Gypsy population.

The relative weight of different factors has changed over the years of centrally planned economy. The most profound change was in the local economy. Traditional work opportunities in agriculture, based on long-term relations with small farmers disappeared. Roma found employment in cooperative farms and booming industry. Although there were no offi-

³⁶ Exact figures are unavailable, but Slovak Roma were, for instance, transported to the concentration camp at Auschwitz. For more information on the Roma holocaust see, for instance, Bartosz (2004).

³⁷ In Slovak: *Uprava niektorých pomerov Ciganov*.

³⁸ Estimation from literature and from interviews with Slovak experts.

cial quotas for Roma employment, the minority was purposely pushed to accept newly created jobs. Yet even if they worked in the factories, assimilation process proceeded very slow (or not at all). For instance, Roma from Rudňany working in local mines and metal processing factories were integrated in the work, but still lived in segregated houses on the outskirts of the village. Forced assimilation policies and integration into the former socialist regime led to the majority of the population to remain segregated, and usually it were only Roma with education or particular labor skills (e.g., educated, performers and businessmen) have been assimilated. Although discrimination was partially suppressed (especially in the job market and to some extent in the school system) it existed and persisted in the daily life of the declaratively new regime of unity and equity.

Policies of forced settlement and industrialization in the 1950s, which resulted in mass resettlement and increased numbers of commuters, decreased the influence of traditional leaders in these communities, and the structure of self-governance collapsed. This trend culminated with socio-economic changes in the 1990s. For instance, according to a 2002 public opinion poll conducted by UNDP, only 22 percent of Roma rely on the support of informal Roma leaders.

Despite the verbal proclamation of the Communist Party and other authorities, the situation of Roma improved only at a modest pace under the new socialist regime. Such turn of events questioned the ideology of communism, as most Roma remained in a miserable situation although capitalism had disappeared. The situation in the 1960s was defined as unbearable by the party authorities of Eastern Slovakia and the central government decided to address the problem of the social situation in Roma shantytowns in a more radical way.

In 1965, the Czechoslovak government decided to solve the “Gypsy question” through a new political approach. After a period of integration attempts and appeals to socialist values, Governmental Ordinance No. 502 stressed two tasks: Full employment of those Roma who were not disabled and were in the economically active age, and termination of Gypsy shantytowns and dispersal of these people throughout Czechoslovakia. Subsequently, the Committee of the Slovak National Council adopted a strategy of diffusion and resettlement of Roma. The strategy had three aspects: (i) eviction of the Roma shantytowns and providing new houses; (ii) education of Roma youth and support for Roma students; (iii) employment of Roma males.

The primary targets of these dispersals were Roma colonies in Eastern Slovakia. According to Ulč (1969): “at that time, of the 153,000 Gypsies

in Slovakia, 103,000, i.e. 67.3% lived in such settlements under conditions which are not fit for human living.” This ambitious plan was abolished in the beginning of the 1970s. It proved to be costly, ineffective, and extremely unpopular among non-Roma. There was a quota for how many Roma shantytowns in Slovakia were to be eliminated and people resettled, mostly into the Czech part of the federation.³⁹ Although these radical measures and policies were adopted, the number of Roma shantytowns decreased very slowly.

The late 1970s and 1980s was a time of overall political stagnation in Czechoslovakia, following the 1969 Warsaw Pact military intervention. Ambitious complex plans of the post-war period were abandoned and replaced by less demanding construction of houses in ad hoc selected Roma shantytowns and continuing pressure to keep Roma employed. The ideology was losing its steam and the image of “comrades Roma” assimilated and living side-by-side with non-Roma was fading away. With the decreasing ideological framework and pressure, local municipalities felt increasingly brave in reflecting popular resistance to assimilation among non-Roma. It is not only that the new social houses were built in a way to segregate Roma (e.g., Humenne-Podskalka), but also those Roma previously allowed moving to the village centers were pushed back to the margins (e.g., Rudňany or Svinia).

New Regime and Old Tricks

The 1989 Velvet Revolution in Czechoslovakia and the following rapid transformation of the economy overshadowed the Roma issue for several years. The new regime of liberal democracy provided formal opportunities for minorities to develop their own organizations, fight legally for their interests, and take their place in decision-making processes.

For instance, the Hungarian minority has used this new opportunity to create political parties, enter parliament, and introduce political measures for the protection of minority rights (e.g., use of their own language as the official language, Hungarian schools, theaters). The Ukrainian and Ruthenian minorities also reached certain goals, mostly as a by-product of the Hungarian efforts. For the Roma, however, the beginning of the transition

³⁹ According to Ulč (1969), quotas were not met from the very beginning. In 1966 the target of moving 512 families to the Czech Republic was 20 percent fulfilled. In 1967 only 58 hamlets of a planned 155 were abolished.

meant rapid deterioration of social and economic conditions, which were already worse in comparison to the non-Roma majority.

Their situation in Slovakia illustrates how marginalized groups may become victims of economic and social transformation. Often policies that work on state level may turn out to be disastrous on the local one, only partly mitigated by new opportunities for political mobilization.

Internally fragmented, poorly educated, and lacking leaders and resources, the minority fell out of interest for political parties and did not participate in the new power games. The old social measures and protection, including subsidized job opportunities, were lost and the new ones were not created. As Mann (2002) specifies:

Restructuring of the economy [in the beginning of the 1990s] meant especially release of low-qualified workforce from employment, which impacted most Roma. Other aspects contributing to the Roma unemployment have been decrease in amount of construction works, limited highway construction [due to recession], but also split of Czechoslovakia, because Czech lands traditionally provided job opportunities for Roma.

There was initially a certain interest by the new post-1989 governments to address the Roma issue. This perhaps goes back to 1978, when the former dissidents now turning into leading politicians gathered in movement Charta 77 published a highly critical document on the Roma in the socialism. The former Charta 77 spokesman, Vaclav Havel, personally visited—as one of his first official presidential visits—Roma shantytowns in Eastern Slovakia in 1990. Nevertheless, democracy opened a Pandora's Box of suppressed problem and the first ethnic conflicts sparked immediately after 1989, including attacks by the skinhead racist movement and increasing hostility of non-Roma inhabitants toward their Roma neighbors in villages. The federal government attempted to address the new social and economic situation of the Roma through the "Proposal for Basis of State Policy for Social Development of Roma in the Czechoslovak Federal Republic," published in 1991.⁴⁰

The main burden of public policies were however on the national level (after the split of Czechoslovakia, the Slovak government took over the agenda completely). The first framework document addressing changed social and economic conditions in Slovakia was adopted already in 1991: "The Basis of the Governmental Policy in Respect to the Roma and Its Applications for a Department of Education, Youth, Sport, Culture, Em-

⁴⁰ Original title: *Návrh zásad štátnej politiky spoločenského vzostupu Rómov v ČSFR*.

ployment, Social Affairs and Finance.” The bottom line of strategies and documents in the beginning of the 1990s was that aid to Roma should not be allocated on the ethnic principle and it focused on three dimensions of the problem: political, institutional, and socioeconomic. While some progress was made with regard to the first two dimensions, the last one was and still is underestimated.

On the one hand, the new regime opened space for Roma political parties—there was governmental support for theaters and cultural activities and an attempt to build formal institutions.⁴¹ On the other hand, economic transition practically pushed the Roma out of the labor market. This development has reinforced stereotypes about the Roma as “parasites,” and supported hostility among the non-Roma.

The EU integration process meant to some extent a radical turn in addressing the Roma situation in Slovakia. The EU soon recognized the scope and potential implications of the Roma situation for the political and economic stability of the country, and the Roma issue climbed the ladder among priority actions for fulfilling the Copenhagen’ Agenda 2000 and *acquis* implementation.⁴²

This process was reinforced by the mobilization of domestic and international NGOs and a growing number of social, environmental, and policy projects for the Roma communities. Impact of the EU integration process can be identified on several levels. Mainly, the process provided impetus for addressing of the Roma situation in Slovakia. From the role of the EU enlargement perspective, the policies and attitudes toward the Roma problem went through three main stages:

1. *Prior to the EU accession process: Ignorance and repression (1990–1998).* This period was marked by initial naive perception of the market that it would solve most of the social problems. In the times of political turmoil, rapid privatization and shift in the industrial production were other problems perceived as more acute. The growing problems associated with poverty, high unemployment, and criminal activity were in the mainstream policy understood as individual and the state should just support better repressive policies. Although negotiations between Slovakia and the EU started in the beginning of the 1990s, it was not until after

⁴¹ The effort culminated in 2002 with the establishment of the Office of the Plenipotentiary of the Slovak Government for Roma Communities.

⁴² Agenda 2000 lists the political criteria of the EU for new applicant countries. *Acquis* is the set of EU policies, directives, and regulations to be implemented in the legal framework of countries applying for the EU membership.

the defeat of the EU-criticized nationalistic government in 1998 (and general regional acceleration of the process) that the EU accession process started to have significant impact on the domestic policies.

2. *The EU accession as the engine of changes (1998–2004)*. The Roma issues gradually became of high importance in the process of the EU accession. Partly because of the EU pressure combined with long work record of NGOs, public advocacy groups, and Roma themselves. Roma issues were (to some extent) brought to the spotlight. This happened partly because the situation of the marginalized people was indeed in discrepancy with human rights and policy framework embedded in the *acquis communautaire*. However, it is important not to underestimate concerns from the EU states, that the opening borders in the EU will bring mass migration of the people. The government responded by filling money into development projects (cofinanced by the EU). Municipalities were under pressure to solve the problems of access to water or housing. Many development projects focused on the Roma education and employment were initiated.

3. *Post-EU accession and running out of steam (from 2004 on)*. In the situation of limited budget, understanding of complexity, and long-term perspective of addressing the problems of marginalized people state, municipalities and other social actors face problem with keeping the ball rolling. Outside environment has changed with decreased pressure from the EU and later with the global economic crisis. Although financial support of the EU structural programs provides some opportunities, there is generally a lack of political will for substantial measures. It is also a big question, if such structural problems as unemployment, poverty and discrimination may be solved by (time and money – wise) limited projects. Public concerns and prejudices are reflected in populist public policies where the main approach is focused on repression through decreasing and limiting welfare transfers justified by “pushing” the Roma back to work.

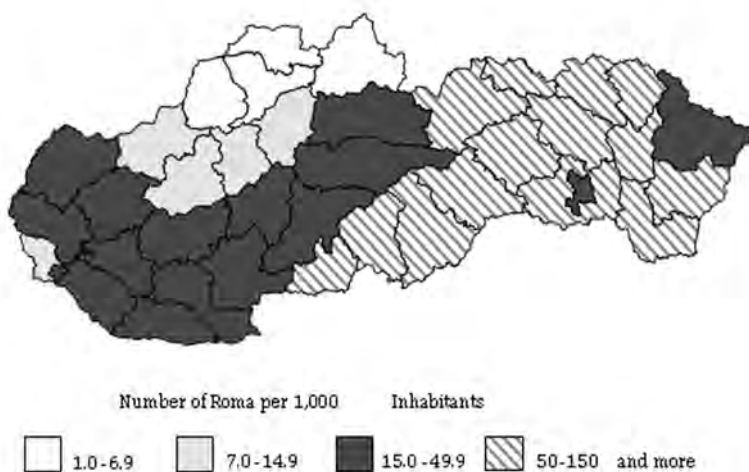
Generally we may conclude that we are currently in the situation, where some achievement in human rights enforcement and development policy are increasingly marked by a worsening of the social situation, a growing social gap, and an increase of poverty among marginalized groups. These trends are evident from repeated EU-SILC surveys in 2000s (Filadelfiova 2007; Gerbery et al. 2011), where families with more children, unemployed, and people in marginalized regions regularly rank among the most affected groups. Prevailing majority of the Roma depends on various forms of decreasing social welfare without access to the job market.

Figure 4. Density of the Roma population in Eastern Slovakia and in the Slovak Republic before 1991

a) Eastern Slovakia



b) The Slovak Republic



Source: Adapted from Ginter and Kudlackova 2003; data based on 1991 census data.

The most striking situation is in the rural settlements, especially in the eastern parts of the country with high concentrations of Roma (see Figure 5). The economic transformation in Slovakia has enhanced segregation. Because Roma are among the first to lose their jobs, the already high number of state-dependent Roma continues to increase.⁴³ Complex laws governing residence permits, combined with discrimination, mean that Roma are often unable to move, as municipal authorities refuse to provide them with residence permits for their new choice of settlement. Local councils have even in some cases issued ordinances banning Roma from settlements, Roma are frequently evicted, and there is a growing trend to remove Roma from town and village centers and relocate them to inferior housing on the periphery. Due to these restrictions Roma have limited possibilities to move to other places and they usually stay in the shantytowns of their birth. They are practically locked into the current settlements, which might be problematic from a social and environmental point of view.

The so-called Roma problem has kept receiving over the years some attention from the governments, reflected also in the public policies. The Complex Development Programme for Roma Settlements, adopted on April 10, 2002, came into force, and pilot projects were initiated. In these projects, the state attempted to integrate different interventions together with the aim of reinforcing each other and increasing the impact of measures such as social work, community centers, pre-school education, construction of infrastructure and houses, and employment generation. Government keeps adopting strategic plans (among the latest approaches is Medium-Term Concept of the Development of the Roma National Minority in the Slovak Republic Solidarity—Integrity—Inclusion 2008–2013, or Strategy of the Slovak Republic for the Roma integration till 2020), but the real problems have not been fundamentally addressed. Namely, high unemployment of the Roma, which—as I documented during my field research—is not caused by superficial blaming of unwillingness and laziness of the people, but rather by structural changes of the labor market and discrimination.

Impotence and quandary of the state in the environment of growing social polarization and popular demand for solutions is increasingly reflected in public policies. As part of the reform of the social assistance system, the government declared the need to tackle high unemployment,

⁴³ Roma mostly do unskilled jobs and are subject to racial discrimination from employers when downsizing (among others, the European Roma Rights Centrum and Open Society Institute have documented systematically cases of this discrimination).

particularly long-term unemployment. Decreasing welfare spending and more harsh conditions should “push” people back to work. Latest attempt in this direction dates to 2011, where the Ministry of Social Affairs and Family announced their plans to limit social support to “one warm meal a day” to those who refuse to work. Paradox is, that in the same time when politicians and the Ministry broadly discussed these plans, Central Labor Office registered maximally few dozens of openings requiring lower or no education, while there were in the same time several thousands of Roma unemployed with lower level qualification.

Slovakia’s problem (and more broadly that of Central and Eastern Europe) is in structural unemployment. It is difficult to activate people for the labor market in a situation of high unemployment and demand only for people with higher education and in the industrial hubs. And even this demand is now questionable in the continuing economic crisis. There are simply no jobs for people with lower education, in marginalized regions and they can hardly be created in a near future. In addition, Roma, who usually do not possess education, previous work record, and experience, are the first to be discriminated against on the job market. As Mann (2002) points out: “If there are somewhere new job openings, employers usually refuse to hire Roma and prefer non-Roma.” Poverty, lower education, low mobility, and ethnic discrimination minimize chances for Roma to find practically any job.⁴⁴

Changing social policy has a direct impact on the income situation of households, and influences negatively chances of marginalized individuals and groups escaping the poverty trap. In this situation the whole approach of “pushing” people to work is not more than rhetoric exercise and attempts to get popular support for the governments. There is practically no difference if right or left wing. Although restrictions of the welfare system may have certain impact in areas with low unemployment (especially in Western Slovakia), it is practically impossible to find any correlation in the marginalized regions. With potential exemption of the relationship between the welfare decreasing and petit crime. Despite this, the system of assistance went through several significant changes in 2004 and 2011 and every right-wing government has ambitious plans on how to eliminate “black passengers.”

In this environment we are witnessing gradual worsening of the situation in communities and shantytowns. The ongoing process of liberalized

⁴⁴ For individual cases of discrimination on the job market see, for instance, publications and cases monitored by European Roma Right Centre, www.errc.org.

utility prices, social and health-care reforms, and increasing food prices will continue to reinforce this trend. All these factors influence development alternatives for those facing unequal treatment in the distribution of environmental benefits and harm.

Villages and Shantytowns

There are many types of settlements where the poor, migrants, or ethnic minorities seek places to settle down. Such places are usually characterized as an amalgam of overcrowded, poor, or informal housing, insecurity of tenure, unclear property rights, problematic residence permits, and inadequate access to safe water and sanitation. The other common feature is the location on the outskirts of big cities, or on the peripheries of villages. As Davis (2004:5) points out: “The urban poor . . . are everywhere forced to settle on hazardous and otherwise unbuildable terrains—over steep hillslopes, riverbanks and floodplains. Likewise they squat in the deadly shadows of refineries, chemical factories, toxic dumps, or in the margins of railroads and highways.”

There is a clear link among poverty, the quality of housing, and the environment. Davis (2004), in his account of environmental threats, deals with the urban poor in developed and developing countries. Although he describes urban poverty and its environment, similar patterns also apply to settlements in rural areas, as it is in the case of specific pattern of Roma (mostly) rural settlements in Eastern Slovakia, where only a few settlements may resemble the urban type of ghetto.

In this work I use the term *shantytown* for Roma settlements to distinguish them from *slums* or *ghetto*, which are generally understood to be located on the outskirts of big cities and are an outcome of urbanization. Settlements that may be labeled as *urban ghettos* (or *slums*) in Slovakia are, for instance, in Zvolen-Zolna (4,500 inhabitants)⁴⁵ or Košice-Lunik IX with 4,241 inhabitants occupying 1 square kilometer. Shantytowns are usually defined as units of irregular low-cost and self-constructed housing built on terrain seized and occupied legally or illegally—often on lands belonging to third parties, most often located on the periphery of cities.⁴⁶

⁴⁵ There three public wells serve the whole community.

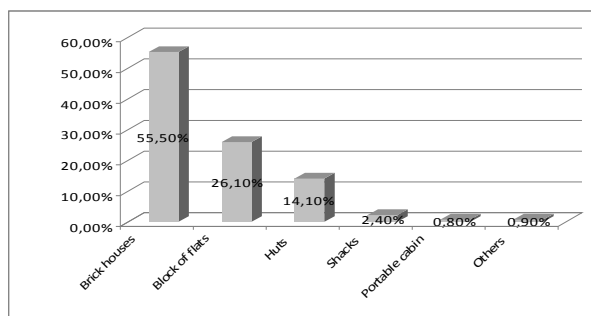
⁴⁶ See, for instance, *Encyclopedia Britannica*, *Webster's Dictionary* or Goldstein (2003).

Figure 5. Roma Shantytown Chminianske Jakubovany

Source: Photo courtesy of Jan Kasz

The reason I consider the term shantytown more appropriate for Roma settlements is twofold. First, majority of these settlements are not an outcome of urbanization but rather originated in the dynamics of the Roma's search for suitable places to live in rural areas. Second, it is the quality of dwellings. Ghettos are usually affiliated with blocks of apartment buildings and high concentrations of people into apartments, but shantytowns are characterized by brick houses or huts assembled in a patchwork fashion from pieces of plywood, waste construction materials, hay, clay, corrugated metal, and any other material, usually locally assembled, that will provide cover (Figure 5). Apartment buildings are also presented—often as the result of former regime's resettlement projects—and over time become integral part of the shantytowns. The most frequent types of houses and their share in Roma settlements are illustrated in Figure 6.

Based on the official estimate of the Roma Office of the Slovak Government, there are approximately 620 Roma shantytowns in the Slovak Republic. Sociographic mapping conducted in 2004 estimated 799 segregated settlements (Jurášková et al. 2005). I consider these data to be the most reliable estimation of the present size of the Roma minority. The data are based on field mapping, where researchers visited every village with a Roma minority in Slovakia. The subject of the sociological research were settlements where inhabitants are subjectively referred by the majority to be a Roma community and where people were identified as Roma by researchers, NGOs, and other experts based on ethnic characteristics.

Figure 6. Types of dwellings in Roma settlements

Source: Data from 2004 project of sociographic mapping of the Roma communities (Jurášková et al. 2005)

The shantytowns in Slovakia are usually clearly segregated from the main village. The smallest may consist of a few people (e.g., six people in Kamenica-Sabinov), the largest can house between 1,000 and 2,000 people (e.g., Podhorany, Zamutov, Kecerovce). One of the biggest shantytowns is in Jarovnice, providing space for some 4,500 to 5,000 inhabitants.

The relationship between Roma and non-Roma has gone through a long period of cooperation, but also conflicts. Treatment of Roma, their exclusion and confinement to shantytowns, cannot be explained as an ad hoc geographically located pattern of behavior, but rather as systematic segregation. Understanding the history of settlements, the dynamics of entitlement distribution in a broader picture of policies and processes provides an important framework for analyzing Roma housing from the perspective of the environmental justice.

Several macro-level factors described in this chapter may have positive or negative impact on the shantytowns dynamics (e.g., social policies or decentralization). Yet equally important are micro-level factors referring to the community or local level where decisions are formed and reached directly by the people, and outcomes of social processes involve local stakeholders (e.g., local policies and decisions are made by neighbors and people from the community or area).

All of the macro- and micro-factors overlap in places and play positive as well as negative roles in development of the Roma housing. Sometimes intentions are good, but implementation on the local level proves controversial. Decentralization may be a positive trend, but if the transfer of power to local municipalities supports oppression of a minority by the

majority it suggests that there is a problem with the concept and its implementation. Liberalization and privatization may be presented like a positive and progressive tool for increasing economic growth, but it may have profound effect on social situation and housing of the people at the margins.

Situation and Trends

History of shantytowns in Slovakia goes in many cases deep into the history. Yet they started to grow in number and size especially in the second half of the twentieth century. The policies of collectivization and nationalization of private property adopted after the Communist Party seized power in 1948 made the issue of property rights irrelevant and local governments under control of the Party allocated rights to using most of the land. There are indications that Roma may have owned some land before 1948 (e.g., personal interviews in Rudňany and Jarovnice), but the lack of evidence deprived them from getting the land back after the 1989 restitutions took place.⁴⁷

The new legislative framework introduced after the collapse of the old regime in 1989 in many cases further worsened their situation. Under the new legislation, people who had houses on the state-owned land were allowed to transfer the land into their private property, providing they fulfilled the following conditions: (i) The house was built legally or received a legal status within a period stated by the law; and (ii) The land was registered in the cadastral register and was not subject to restitution.

The process of legal status transformation for a house required around thirty permissions from different authorities, investment in construction and reconstruction (to fulfill building code), and a good orientation in legal and administrative procedures, which are often costly. Many Roma were not able to do this and in the meantime the state or municipality often sold the land from under their feet to private owners. Thus, in the beginning of the 1990s, many Roma found themselves living illegally on private property.⁴⁸

I already mentioned two main turning points in the development of the Roma situation, both with significant implications for the settlements. The first was the industrialization of Slovakia after 1948 and the concentrated

⁴⁷ Most of the properties nationalized between 1948 and 1989 were returned to the original owners, provided that they were able to declare property rights.

⁴⁸ See Chapter 7 for more information.

demand for unskilled labor in industrial hubs and on cooperative farms. Industrialization forced the migration and concentration of Roma to places where jobs were available. The second point was the expansion of shantytowns, which was partly due to Roma tradition to have large families (UNDP 2002; Vaňo and Meszáros 2004), and partly to an inflow of people into the shantytowns after the beginning of the economic transformation of the 1990s. Recently real estate scalpers appeared. They started to buy Roma houses especially in city centers (or rather their debts and subsequently properties) and moving them to houses in rural areas, which they cheaply buy for them.

The numbers used to estimate Roma in shantytowns are to some extent questionable. There is limited information on the methodology different authors used in different years for their data collection and how these data were processed. Information on what was included into the calculations is not clear (with the exception of the data compiled in 2005 by Jurášková et al.). Moreover, different authors probably used different definitions of shantytowns and segregated settlements.

So what was the growth dynamic or decline in the number of people inhabiting the shantytowns? Building on the problematic data I try to make some rough estimation. In the 1950s there were 1,305 isolated Roma shantytowns providing space for 95,092 Roma (Jurová 2002a). In 1965, according to Ulč (1969): “of the 153,000 Gypsies in Slovakia, 103,000, i.e., 67.3% lived in such settlements under conditions which are not fit for human living.” These numbers are based on estimations of the former centralized administration.

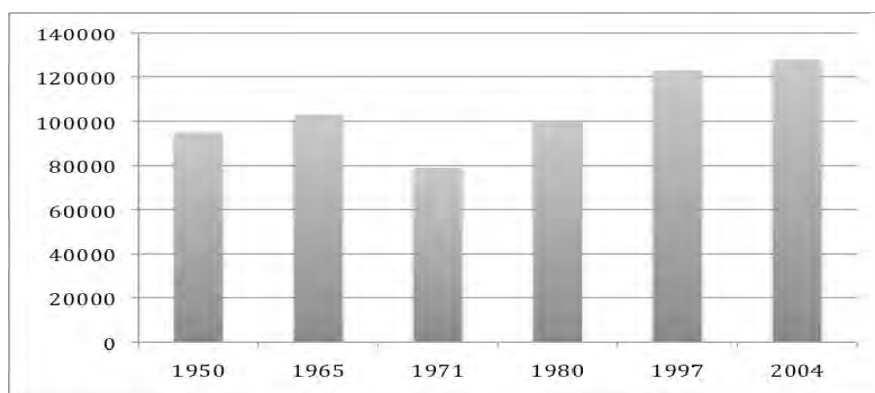
The UNDP’s Human Development Report on Slovakia (2000) came to the following conclusions. The number of Roma colonies almost doubled from 278 recorded in 1988 to 516 in 1997. Vagáč and Haulikova (2003) point out that the number of housing units in Roma colonies (i.e., what I call shantytowns) had increased from 12,361 in 1988 to 14,334 recorded in 1997 (i.e., 1,973 new places). The number of families in Roma colonies increased from 2,543 in 1988 to 22,785 by 1997, an increase of 20,242. The total population living in Roma colonies grew by 108,046, from 14,988 people in 1988 to 123,034 in 1997. Although most of the data correspond with previous and later research, Vagáč and Haulikova’s figure of 14,988 people (in 1988) living in “colonies” seems to be an unrealistic underestimation.

The data from 1997 to 2000 (UNDP 2000; Vagáč and Haulikova 2003) are based on outcomes of questionnaires developed by the Ministry of Labor, Social Affairs and the Family. The questionnaires were distributed to county offices and district authorities where responsible administrators

filled them in. The problem is that definitions of what is a segregated Roma settlement were not clear and the people who collected the data were often not well instructed and/or checked. It is therefore important to take the data with reservations, although they may illustrate the dynamics of the shantytowns' growth.

Jurášková et al. (2005), in their broad socio-graphic mapping of Roma communities, identified as many as 799 segregated Roma settlements in Slovakia, while the total number of people living in segregated Roma settlements was estimated to be 128,000. If we summarize these figures (see Figure 7), the outcome is that the number of people in segregated settlements went through a small increase in the 1950s (the post-war period), declined in the late 1980s and rapidly increased in 1990s (connected with the economic and social transformation). Data used for Figure 7 are based on experts' evaluations using census data. The exception is the figure for 1980. Given the fact that in 1965 it was around 103,000 people and between 1966 and 1971 the former socialist regime moved around 24,000 people from the segregated settlements into new houses, I estimate the number for 1980 to be around 100,000 people.⁴⁹

Figure 7. Estimated number of people living in segregated Roma settlements between 1950 and 2004



Source: Falt'an and Pašiak 2004; Jurášková et al. 2005; Jurová 2002a; Ulč 1969; UNDP 2000; Vagáč and Haulikova 2003.

⁴⁹ The massive resettlement program stopped in the beginning of the 1970s due to lack of resources, but there were still limited attempts like the one in Svinia described later in the book. This estimate is based on the number of people in shantytowns after the massive program in 1966–1971, taking into account that according to Falt'an and Pašiak (2004) the Roma population grew by 25.5 percent between 1970 and 1980.

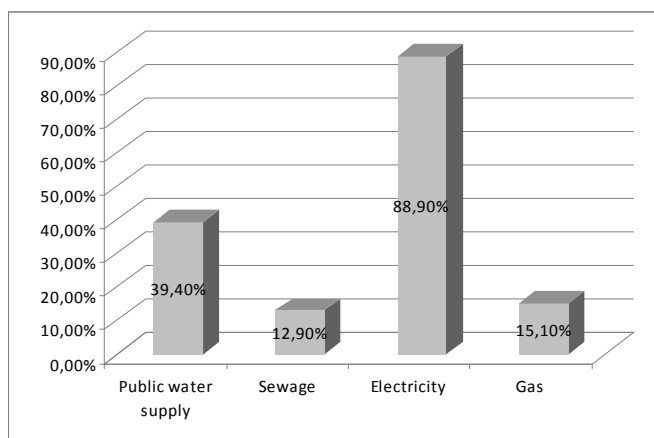
The reliability of all the data used for Figure 7 is problematic. Nevertheless, two trends observed at the figure are validated by the literature and field observations. There was a decline in the shantytown population during the massive resettlement of 1965–1971, and there has been a growing number of people living in shantytowns in the 1980s, 1990s and especially in the past 20 years. After the resettlement program was shut down due to lack of fund, shantytowns started to grow again due to a higher birth rate (Falt'an and Pašiak 2004; Vaňo and Meszáros 2004), but the radical increase came with the economic transformation.

This development has resulted in two phenomena:

- As the Roma settlements grew, they were more visible, encounters and tensions were more frequent, and non-Roma pushed them out of the centers to the edge or beyond the edge of villages (e.g., the case of the Roma in Rudňany in 1970s and Svinia in the 1980s);
- Growth of the settlements makes property rights and entitlements (especially over the land) more and more complicated. A typical pattern is that we find in the shantytowns mixture of buildings with very different houses. Some are built legally and Roma are owners of the land, some (especially newer) are built on the land belonging to non-Roma, municipality, unknown owner or forest company.
- As the Roma shantytowns grew, there was not enough space for the people and they started to build houses and huts on land where property rights and entitlements are not strongly enforced, i.e., land often unsuitable for construction (e.g., the huts of Roma in Chmini-anske Jakubovany were built very close to the river on wetlands, settlements in Rudňany built in landslide zone).

Long term practice common practically for all regimes in the past and in the present support the claim that the location of Roma shantytowns is not accidental, but follows a certain pattern. It can be described as “segregation, invisibility and no-man land.” Environmental conditions in the places designated (formally or informally) for Roma played, either consciously or unconsciously, a decisive role in these decisions. As the result of segregation policies of local municipalities, the deterioration of the social situation and population growth, many Roma settlements in Eastern Slovakia resemble slums on the outskirts of cities in developing countries. There is no sewage, no drinking water supply system, and water often comes from polluted wells. Figure 8 illustrates Roma access to basic infrastructure.

Figure 8. Share of dwellings in segregated Roma settlements in Slovakia connected with basic infrastructure



Source: Adopted from Jurášková et al. (2005).

Life in the shantytowns is problematic. A 2000 UNDP report concluded that twenty Roma colonies did not have a source of potable water, fifteen more than in 1988. A majority of the colonies also face problems of insufficient infrastructure—low-quality drinking water and roads, an absence of public lighting, no sewerage, gas supply or social establishments, unsatisfactory conditions of housing, no stores, post offices, and schools. Roma colonies without public lighting had increased from 15 in 1988 to 251 by 1997. The number of Roma colonies with no hard-surface access road increased from 7 in 1988 to 34 by 1997.

Jurášková et al. (2005) estimated that out of the 799 segregated Roma settlements in Slovakia, 46 Roma settlements have no infrastructure at all. This means that there is no paved road to the settlement, no public water supply, no connection to the sewage system or gas. Out of this number, 12 settlements do not even have connections to electricity. In Table 1, I compare the situation in the former centrally planned economy in 1988 and in 1997, after the shift to a market economy. These numbers are interesting especially from the perspective of the impacts of social and economic transformation on the Roma communities. The decade after the start of economic liberalization brought severe deterioration of living conditions for many families and individuals. If we do not assume that the people lost interest in employment and decent housing and chose this life voluntarily, then it means that macro- and micro-level social and economic conditions must have radically changed for them.

Table 1. Selected indicators of shantytown development between 1988 and 1997

Indicator Year	No. of houses	No. of families	Families in shacks	Places with a source of water	No public lighting	No hard road access	No. of places with no source of water	Total population
1988	12,361	2,543	2,543	5	15	7	278	100,000*
1997	14,334	22,785	4,606	20	251	47	516	123,034

* Estimated value.

Source: Based on data from Jurášková et al. (2005), UNDP (2000), Vagáč and Haulikova (2003).

Shantytowns have been growing in number and size throughout the last years of the centrally planned socialism, yet so are they in new conditions of the liberal democracy, and the situation of their inhabitants has been worsening. Return and resettlement of new people in shantytowns, a growing rate of unemployment from a relatively low level in the beginning of the 1990s to near 100 percent in the 2000s, widespread usury and discrimination are key factors in social dynamics of shantytowns.⁵⁰ Their growth is proportionate to the increasing tension between majority and minority. Situation is far from static. New and important factor with strong impact on the shantytowns location is interests of the capital.

In 2011, amendment to the Slovak building code was approved by the parliament, making forced eviction and destruction of the illegal houses easier. Although justification for this amendment was built on the general framework of law enforcement, there is little doubt that the real aim are especially shantytowns, especially in places with commercial interests. To understand trends we need to understand development in the settlements location and dynamics in the access to environmental benefits and harms. Tales of Rudňany and settlements in the Upper Svinka River watershed reveal many factors, mechanisms and social processes important not only for addressing problems of the past, but also for dealing with challenges on the horizon.

⁵⁰ To be unemployed under the former regime meant to be in violation of the law and could have been penalized by jail sentences. According to Šebesta (2005) "until 1967 the [former] regime reached 75.9% employment of the Roma male population."

CHAPTER FOUR

Rudňany: A Tale of the Old Liabilities

Rudňany is a small village facing big problems. It is situated in the eastern part of the Slovak Republic, approximately 14 kilometers from the town of Spišská Nová Ves. Its main attraction is an old abandoned tower with a mining lift in the very center of the valley surrounded by the nice two-story houses of the local inhabitants. Rudňany is situated in a valley surrounded by forests. Most of them partly damaged by industrial production in the past. If you enter the village by the main road from the nearest town of Spišská Nová Ves, the first thing you see is the Roma community living on the abandoned and derelict factory site at Zabíjanec. In the summertime, Roma children are jumping into the stream, which is collecting water from closed mines and gathering all possible garbage and waste on its way through the village.

You leave Zabíjanec behind and enter the village of the two-story houses and apartment buildings. If you continue, you will come to the hill above the village, where you find a monumental building of the former mining company administration at Pátoracké. The first impression is that the building resembles ruins of towns impacted by heavy bombing and fires during World War II. If you get closer, you find small huts and houses made of scrap material on the slopes around it. You are still in Rudňany, but you have crossed two different worlds through an ethnic line, which is not marked on the ground but of which all the inhabitants are well aware. Here I attempt to illustrate differentiated access to environmental benefits and harm through the case of Rudňany—a story of Roma people and their environment.

The Middle Spiš region where the village is located is reportedly one of the most beautiful parts of the Slovak Republic. High mountains, deep forests, and ancient towns with traces of medieval ages prosperity brought about mining and trade attract tourism and provide assets for the inhabi-

tants. At the same time people in the region struggle with high unemployment, the collapse of traditional industries, and face pressures from social and economic development shaped by global and national context. The region has a multiethnic character, where you find (besides Slovaks) a strong Hungarian minority in the south and a relatively large minority of Roma spread all around the region. Because of its multiethnic character and social stratification, this place is of extreme importance for understanding the relationships among ethnic origin, social status, and the environment.

Figure 9. Location of the Rudňany village



Administratively this place belongs to the district of Spišská Nová Ves (see Figure 9). The village faces problems of a collapsed economy due to the closing of the mines and ore-processing factory at the beginning of the 1990s, and due to the past industrial activities is endangered by industrial pollution as one of the environmental hot spots in Slovakia. These rather negative factors provide three criteria important for environmental justice research: (i) *Ethnic composition and clear ethnic/class division*—a strong Roma minority; (ii) *Social situation*—negative economic impacts of the economic transformation on the inhabitants; and (iii) *Environment*—large-scale environmental degradation due to past industrial activities.

I cannot recollect when I first heard about the Roma in Rudňany. I guess it was in the mid-1990s, when the extreme situation of the local Roma attracted journalists covering the country. Environmental conditions

were sporadically mentioned in these articles as an aspect of Roma life. When I started to explore the nexus of poverty, discrimination, and the environment, the village came to mind as the natural place to start. The goal was simple. I was interested to see if we could frame the social, economic, and environmental problems in Rudňany as a case of environmental injustice. And if so, what are the social processes that have contributed to the present situation? There is perhaps no better point of departure than to start with examining the historical, social, political, and environmental context that has influenced the present location of the two Roma settlements in the village.

What especially matter is the power division and the relations that shape the lives of the majority and minority in the village (What is the political organization in these communities? Does the ethnic minority have any access to decision making at the local, regional, or national level? Do some groups and individuals control other groups and individuals? If so, how? To what extent does conflict and tension characterize the setting?). I accord with the environmental justice conceptual framework I was particularly interested to see if division of environmental benefits and harm is discriminatory to some of the inhabitants and what role class and race play in the distribution and processes leading to the distribution outcomes.

The Village and the People

The first historical document about the village is dated 1332. Traces of settlement in this area go back to 1700 BC. Geographically, the area belongs to Hnilecke Vrchy (Hnilec Hills)—part of the Slovenské Rudohorie Mountains. The whole territory of Slovenské Rudohorie has a long industrial history.⁵¹ Gold, silver, copper, and other metals were mined and processed here. Large-scale development started in the medieval times and continued until the end of the twentieth century.

The biggest increase in mining came after 1945. Mercury and other metals started to be processed here. Mining factories were labor demanding and employing thousands of people. Especially demand for unskilled labor was high. A radical turn came with the start of the economic transformation in the 1990s. Local factories were unable to compete in newly opened global market. Partly because local ores with higher concentrations of metals were mostly exploited and this has been increasing costs;

⁵¹ In Slovakian, *Rudohorie* means *mountains with metal ores*.

and partly because social and environmental externalities from the production were making local products too expensive comparing to other counties. Not surprisingly, this type of mining and metal processing is now mostly done in the developing countries and we basically export impacts from our production and consumption patterns elsewhere.

Nevertheless, local impacts of the global trends were rather severe. In the beginning of that decade there were around 2,500 employees working in the mines and in metal processing. By 2003 the total number of employees went down to 150, and the factory practically bankrupted after trying to negotiate complicated reconciliation and debt service with the government.

Mining and metal processing were the main sources of employment in the village, and the collapse of the industry at the beginning of the 1990s reshaped the social situation and perspectives of all the inhabitants. The total number of inhabitants in 2003 was 3,293. By 2010 it increased slightly to 3,775. Most of them are Slovaks, but although the Roma minority consisted of roughly 1,200 people in 2003, seven years later it includes around 1,700 people.⁵² Trend is, that non-Roma from the village, especially the younger one are moving to the cities and migrate out of the place. This is however not so common in the Roma settlements (due to structural reasons I discuss later in the book). The Roma have higher share of younger inhabitants and higher natality and live in absolute segregation from the majority. With the exception of several individuals they are settled in three places.

Most Roma live in the Pătoracké shantytown, approximately 0.8 kilometer outside of the village. According to official figures there are 452 inhabitants, whereas my estimate, based on field workers' figures and data from local activists, is around 570. The second shantytown is approximately 1 kilometer outside of the village at Zabíjanec. In the summer of 2011 it provided space for more than 640 inhabitants. Several families also live in two segregated apartment buildings on the western outskirts of the village, other Roma people are difficult to localize.

The beginning of the economic transformation caught the inhabitants of the village in a very weak starting position. Most of them had worked in the mining and metal-processing factories with stable and relatively good sala-

⁵² There are two data sources on the Roma minority size: official censuses and estimates of the local municipality. For the purpose of the study I use the municipality estimates, because I consider their numbers to be more realistic. In the official 2001 census, only 400 people (or 12.4%) of the inhabitants in Rudňany declared Roma nationality.

ries.⁵³ At the same time, many of these jobs were low-skilled positions. The collapse of the company, accompanied by downsizing in almost every enterprise in the region, has had a strong negative impact on the village.

Newly created jobs usually require at least secondary education, social skills, extensive travel, or resettlement. These conditions mean that many people in the village fall into unemployment and poverty. They are not able to travel for work, because wages in the region do not allow this, and because of the ecological damage in the village and general situation in the region property values are extremely low and virtually eliminate any attempt at resettlement.⁵⁴

New employers emerged after 1990, but they are not able to provide sufficient job opportunities. Besides five small stores and two local bars, there are two small textile workshops, one transport company, and one company producing plastic windows and other construction materials in the village. This picture is generally not very optimistic, yet there is a group of people who were impacted even harder: the Roma minority.

For the Roma who moved into Rudňany mostly because of job opportunities, the era of state socialism represents a period of relatively good times. Although they were marginalized, the general Labor Code demanded employment of all citizens. Compulsory education accompanied by scholarships represented a way out of the shantytown. Roma worked in the mining factories, the railway company, waste management, and other places with a demand for unskilled labor. After the start-up of the economic transformation (in the beginning of the 1990s) the unemployment rate among Roma from the shantytowns reached almost 100 percent.

The Rudňany area belongs to one of the ten most problematic environmental “hot spots” in the Slovak Republic (MoE SR 2003). The reason is the long tradition of mining and ore-processing industries that was intensified from the 1950s until the 1980s by the state socialism and a centrally planned economy focused on the promotion of heavy industries and exploitation of natural resources. Investment in environmental measures took place only in the late 1980s due to a decline in the central control and the opening of the system. Nevertheless, these changes came only several years before some of the mining industries collapsed (e.g., Rudňany). As a former foreman in the mine recollected:

⁵³ Salaries and social benefits of miners were among the highest in the economy of the former socialist regime.

⁵⁴ The average price of a fairly large house in Rudňany is about €10,000, while the price of a one-bedroom apartment in the Bratislava region starts at around €50,000.

In the late 1980s we installed filters on the chimney and the pollution went down to almost zero. This was good because this mercury... it was disaster here. Everything was dying. And then, just after this the mine closed... They closed the mine like you close the door. No preventive measures, no conservation... When the water that is now collecting in these [abandoned] mines will fill the mines to the top, it will start to leak into the streams and then you will see ecological disaster.

As an outcome of this industrial development, the whole territory is contaminated by toxic emissions and surrounded by abandoned factory sites (often polluted from industrial activities and operations), waste dumps, and abandoned mines. The toxic mine tailings contain mercury, which can cause mental illness, birth defects, kidney failure, and other diseases. The abandoned mines are gradually collecting water from underground and surface sources and in a few years they will start to release highly toxic effluents into the environment.

According to the Slovak Hydrometeorological Institute (SHMU 1997) the main sources of air pollution in Rudňany were emissions from the Železnorudné Bane Company (mining and metal processing), Kovohuty Krompachy (metal processing) and secondary emissions from mine waste. Although air emissions from production have dramatically decreased due to the collapse and restrictions in production, mining waste is a permanent danger for the inhabitants.

From the 1950s until the end of the 1980s the ore-processing factory released annually approximately 60 tons of mercury into the air. This was the main source of pollution in the area and effectively made this village one of the most problematic places from an environmental point of view. In 1987–1988 electrostatic filters were installed, effectively stopping 97 percent to 98 percent of mercury release. Nevertheless, this investment was done only two years before downsizing started and the company gradually ceased to exist. The scope of the pollution is visible in Figure 10, where practically all the vegetation on the slope above the factory in Rudňany has disappeared or is heavily damaged.⁵⁵

Abandoned mines and deposits of mining and ore-processing waste are unresolved problems. According to Šottník and Rojkovič (1999), “the deposits of mining dumps consist of stored sulfidic concentrate with dominant tetrahedrite, chalcopyrite, pyrite, quartz and siderite. Chalcantite and melanterite were formed on the surface of the concentrate due to oxidation processes. Acid water (pH from 2.5 to 3.5) discharges on the sur-

⁵⁵ This picture was taken in the summer of 2004. In the late 1980s there was no vegetation at all on the slopes above the factory.

face from the sulfide dump and intoxicate the surrounding soil and vegetation.” These waste dumps contaminate surrounding soils and agricultural products.

Figure 10. Abandoned metal processing factory in Rudňany



Photographed by the author

There is around forty square kilometers of land contaminated by lead in the area surrounding the Rudňany mining factory premises. The concentration of lead is 1 mg kg^{-1} (Kočí et al. 1994), while the environmental norm in Slovakia is 0.1 mg kg^{-1} , which means that the concentration is ten times more than the norms allow. The amount of waste from mining and ore processing was estimated in 1992.⁵⁶

- Nonore waste is around 1,550,000 tons (can be used in building and construction material; very low levels of contamination). The waste is directly on the premises of the factory.

⁵⁶ The estimates are from the mining company, verified by the Slovak Academy of Sciences. Since the mining and ore processing almost abruptly finished in the beginning of the 1990s we may take this as a very realistic estimation of the present amount of waste in Rudňany.

- Waste from ore processing. Estimated to be around 52,000 tons, this waste contains copper (23.61%), antimony (11.94%), mercury (0.054%), iron (24%), sulfur (20%), and silicon dioxide (10%).

The dominant source of pollution in Rudňany has been mercury produced by ore processing. According to Dombaiová (2005) the leaves from the contaminated sites in Rudňany apparently show much higher concentrations of mercury (up to 3.231 and 802 ng Hg/g, respectively) and were an order of magnitude higher than those from uncontaminated sites, reflecting the strong Hg contamination in Rudňany plants.

Emissions decreased with the introduction of new technology in the late 1980s and stopped completely after the collapse of production in the beginning of the next decade. However, measurements of the Slovak Academy of Sciences and external experts (Čiško et al. 1994; Kočí et al 1994; Ochodnický 1996) suggest that pollution is higher than limit values in the areas directly surrounding the factory premises and in the places of past mining and metal processing activities (in the Rudňany–Poráč direction), exactly where two Roma settlements (Pätoracké and Zabíjanec) are situated.

The Roma in Rudňany

The Roma settlement in Rudňany is a relatively new phenomenon. The settlements or shantytowns were virtually unknown in the village prior to the 1950s. We may assume that there were Roma working in the mines even before the larger scale immigration to the village started, but they did not form separate enclaves. Industrial development in the 1950s, economic policies of the centrally planned economy and relatively attractive salaries as well as the demand for unskilled labor attracted Roma from the surrounding villages (and broader surroundings) to settle in this place. According to local people, most of the Roma came from Závadka and Poráč—nearby villages with significant Roma populations.

It is important to understand the central role played in the village by the Mining and Metal-Processing Company (Železnorudné Bane Rudňany). Hardly any decision concerning social, economic, and environmental issues was made without the company's input. The company's central role in the village business goes back to the beginning of its existence and was increased after the nationalization of private properties (after the 1948 communist victory in Czechoslovakia). Both the com-

pany management and municipal council were under direct control of the communist party. Since 1990 the company's power has been steadily declining.

Although state-owned companies in the former socialist system provided accommodation for their workers (in the system of constant demand for labor, accommodation was one of the basic incentives to attract workers), this did not happen in the case of the Roma workers. Only a limited number of Roma workers' families broke the barrier between the minority and majority and escaped the shantytown by moving into public housing for employees. The others formed the first shantytown in Zimna Dolina (cold valley), close to the center of the village.

In the beginning of the 1970s the Roma moved out of Zimna Dolina to the present locations at Zabíjanec and Pātoracké. The official explanations for this step differ. Interviewed people from the majority claim it was because of a lack of space. The place soon became too small for the growing population and Roma started to look for alternative ways to solve the accommodation problem. Although I did not find any evidence (besides several hints from the interviews of both Roma and non-Roma) there is also an alternate explanation that the Rudňany Roma were forced to move from their old houses in the middle of the village and settle in new places on the outskirts.

In the beginning of the 1970s Roma moved into abandoned factory sites (the Zabíjanec shantytown) and the abandoned administrative and social buildings of the mining company (the Pātoracké shantytown). Such a resettlement would have been hardly imaginable under the former totalitarian regime without the silent approval of the authorities and the mine administration, although all of them must have been aware of the social and environmental conditions of the places to which Roma migrated.

As the story of the Roma and their place in the village illustrates, the processes associated with the unequal distribution of environmental harm on the local level are complex and dynamic and always set up in the local context. Contaminated places are the outcome of the mining and ore-processing activities that took place for long time and brought prosperity to the place. Though there was previously a certain economic benefit from the exploitation, Roma at the end found themselves in the position of those who bear unequal burden of the impacts, while even the money generating exploitation faded away. For deeper understanding how it happened and what we may learn from the tale of the people, we have to look more closely what were the social processes leading to the present outcomes and what factors play role.

A Story of Contaminated Land

Pätoracké used to be a privileged part of the village. In the 1950s and 1960s the mining company built houses and a whole infrastructure for their employees there. Two apartment buildings served the company's mid- and high-level managers. In the beginning of the 1970s the settlement was a fully functioning part of the village with water and electricity infrastructure, school, offices and stores. But then problems arose. Mining activities started to endanger the settlement due to increasing pollution and especially subsidence. Noise and piling waste from the mine were gradually getting closer, increasingly affecting the inhabitants' well-being. There were several kilometers of mine corridors right under the settlement. The deepest underground structures are estimated to be as deep as 900 meters below the surface. The first accident with houses falling happened in the beginning of the 1970s. The authorities declared the place an endangered zone. As an immediate response, the company decided to move all the residents to newly built houses and apartments in the towns of Spišská Nová Ves and Smižany.

Estimates (based on interviews in the village) suggest that around 2,700 people moved out. The whole infrastructure and all of the houses were destroyed and decommissioned with the exception of the two three-storey administration buildings. This happened despite the fact that the mining and processing company received money from the state budget for removal of all buildings and infrastructure as part of the program of demolishing the endangered zone. It is not clear why they left these two buildings behind, but the abandoned apartments soon attracted Roma from the village and from other surrounding villages and towns. After non-Roma were evacuated, Roma were silently allowed to move in. Mining activities were not ceased in this area and mining waste continued to pile at the side of the place, close to the new Roma houses (the pile is clearly visible on the left side at Figure 11).

As already mentioned, Pätoracké is located only a few hundred meters from mining and factory sites, making this location even more attractive for Roma because it was close to work. Figure 11 shows the Pätoracké settlement. One of the two administrative buildings is still there, the other one collapsed in 1989 and Roma used the scrap material to construct houses in the surrounding area.

Thirty years after the Roma moved in, Pätoracké is home to about 570 people. In 2001 part of the zone sank, and there is still a hole in the ground in the middle of the settlement. Fortunately, nobody died in this

accident. After the sinking of the houses an emergency situation was announced and the government immediately responded with new plans on how to address the situation.

Figure 11. Pătoracké settlement in Rudňany village



Photographed by the author

It was not until 2007—after much pressure from different stakeholders—that 257 people found accommodation in the twenty-seven newly built apartment. These apartments are in the reconstructed administrative building of the mining company, just several hundred meters down the slope from the old shantytown. Despite the fact that this location is free from landslides and subsiding, it is still surrounded by the mining waste dumps and is separated from the village.

More than 300 people remain in the endangered zone. Because of the danger of landslides and subsiding, this area might be closed in the future even for trespassing. In September 2009 there was abrupt subsiding, which created a crater ten meters in diameter, in the Roma shantytown. These approximately 300 people staying in the shantytown have two water taps serving the entire community. There is no sewage system or sewage treatment in this settlement, and the hygiene situation (especially in the summer) is harsh. There are no toilets with running water and no place

to bathe, children collect water in plastic jars and bottles, and in the absence of waste collection the place is surrounded by rotting garbage.

The shantytown is located approximately 0.8 kilometer from the edge of the village and is connected to it by one unpaved road. Snow and climatic conditions often prevent children from attending school in the winter. Access for medical rescue teams in the case of emergency is problematic. The local authorities and factory management apparently did not take any steps to address this situation until 1989, when open press, bankruptcy of the company, and the new social and political system generated criticism of the living conditions in the Pătoracké settlement. The shantytown, with houses made of waste material, tin, and stones, is built on the land of the company. The Roma are neither owners nor tenants. Small houses and huts are built illegally on land restricted for any public or commercial use. Legally, the former administrative building does not exist, because the building was supposed to be destroyed and decommissioned at the beginning of the 1970s. Roma are no more than squatters in the building and huts that are not supposed to be there.

The first people from houses most endangered by landslides were resettled and the remaining families are waiting for their turn. However, the momentum of the emergency situation vanished, non-Roma are not very prone to support more social housing construction in the village, and the municipality from Rudňany has to compete for governmental funds with several hundred other municipalities that want to address the Roma housing problem. As one of the local council members put it in a personal interview in the summer of 2004:

We have asked for any help from the governmental office for minorities and you know, one official told us that they will label the situation here [in Rudňany] as an emergency and priority action only when somebody dies in the settlement [due to the sinking of the land].

The municipality has already bought the land for the remaining public houses in the same area as the twenty-seven apartments were built. Locals refused to sell their land for the Roma project any closer to the village and the municipality did not have any land suitable for the construction. Thus far, this is the official position of the city council.

The second settlement—Zabíjanec—is located directly in the former industrial zone. Two former administrative buildings of the mining company serve now as apartments. The area served as a place for collecting metal ore and as a transport hub. In 1965 the company moved their activities closer to the actual mining sites, and the place was abandoned. A few

years later (at the beginning of the 1970s) Roma moved into the abandoned buildings, and they have lived there ever since. Figure 12 shows the front view of the settlement in the summer of 2004. The concrete construction in the front of the picture is the former storage of polymetal ores; the Roma houses are behind it. At the foot of the hill are piles of mining waste.

Figure 12. The Zabíjanec settlement in Rudňany village



Photographed by the author

The situation radically improved in 2007, when twenty-nine low-standard apartments were built, providing space for 240 people. More than 400 Roma are still living in the shantytown. The settlement has one water tap with drinkable water for more than 400 inhabitants, behind one of the former administrative buildings. It is a pipe at the bottom of the hill. The source is a nearby reservoir in the forest collecting underground water. It also supplies the non-Roma part of the village. Shantytown inhabitants collect the water in bottles and jars and bring it into their houses. There is no sewage system or sewage treatment in the settlement. There are no toilets in the houses.

Sources of pollution in Zabíjanec are twofold. The first one is the surrounding area with toxic dumps of mining waste. Because these dumps are

on the slope above the settlement, when it rains or when the snow melts, a high content of heavy metals flows down into the settlement and the heavy metals are deposited in the soil (Kočí et al. 1994; Ochodnický 1996). Inhabitants then might bring this contaminated soil into their houses on their feet or breathe it in with the dust during the summer. The second source of contamination is the place itself. Because it served as an industrial zone, there are residues of heavy metals, oils, and other industrial materials in the soil. The municipality bought 15,000 square meters of the land for the resettlement of the people (again in close proximity to the old shantytown), but there is no budget for building the estimated sixty houses needed.

Both Pātoracké and Zabíjanec face similar problem of growing Roma population, where limited social housing construction does not keep pace with the community development. Besides people staying in the old shantytown also young Roma couples from newly built social houses (who look for a place to start their lives together), often move back to the old settlements and build new shanty houses there. It only shows, that even well-intended social housing (the flagship of the Slovak government approach to the Roma shantytowns) cannot solve problems that go much deeper and broader to the structural questions of the inequalities rooted in the overall economic and social situation.

Roma Coping Strategies

The Roma in Rudňany are extremely poor and with very few exemptions heavily indebted to usurers from their own community. The prevailing sources of income of the inhabitants are social assistance and illegal work.⁵⁷ These include cutting timber for households or labor-intensive activities in house maintenance of their non-Roma neighbors. Most recent trend is private companies hiring Roma males for a short-term work abroad, mostly in the Czech Republic. Often these companies are run by usurers trying to get compensations for their loans.

The effect of poverty in relation to the environment is twofold. First, it increases pressure for legal or illegal exploitation of natural resources in

⁵⁷ After the 2004 reform of the social assistance system in Slovakia, an individual family was eligible for a certain maximum monthly (originally SKK 10,500 or approximately €350), regardless of the number of children. Although the authorities do not officially admit this, this provision is considered to be aimed at stabilization of Roma population growth through disadvantaging the bigger families typical for Roma.

the surrounding areas (namely, timber collection and the harvest of various berries and mushrooms). Second, it determines the ecological footprint.⁵⁸ It is not surprising that the ecological footprint of the Roma communities is extremely low compared to the majority population. Consumption patterns are also determined by the extreme poverty.

Practically nobody (with the exception of a few families practicing usury) owns a car. The main transport is done by walking, with sporadic use of public transport (i.e., the bus). Water consumption is relatively high because water often flows unregulated twenty-four hours a day. Settlements are connected to electricity. Almost everything is recycled, reused, or—in the worst-case scenario—burned. The main sources of waste are excrements, plastic packages and construction waste (better called “deconstruction waste” from demolishing and falling apart buildings). Collection of the waste is irregular or virtually non-existent.

The only source of energy for cooking and heating in the Roma settlements is firewood. Due to various social and economic factors (e.g., Roma are latecomers to the village, not represented in the management of municipal resources or entitled to use them, living in poverty), they do not own any forest and usually cannot afford to pay for firewood. Widespread usury further degrades the social situation of the Roma and most of them resort to illegal logging to get firewood. This situation creates a permanent tension among the community, authorities, and owners of the forests.⁵⁹ The situation is naturally worst in the winter, when harsh climatic conditions in this region increase demand for the firewood. Owners and managers also complain about the devastating impact of the illegal logging on the forests and the environment. Roma, excluded from forest management and in permanent danger of getting caught for logging illegally, do not put much consideration into how they select what to cut. This means that they usually do not distinguish between high quality rare species of trees and trees suitable for firewood. The real scope of the logging is difficult to estimate, as many Roma and independent NGO activists are doubtful about the official estimates and blame non-Roma owners for using the Roma as an excuse for their own misuse of the forests.⁶⁰

⁵⁸ Sierra Club defines the ecological footprint as a calculation that estimates the area of the earth's productive land and water required to supply the resources that an individual or group demands, as well as to absorb the wastes that the individual or group produces, <http://www.sierraclub.org/footprint/>.

⁵⁹ The forests are partly state-owned and partly belong to small private owners.

⁶⁰ Logging is strictly controlled by legislation and implementing institutions in Slovakia. It requires permission and must be compensated for through tree planting.

Collection of berries and mushrooms does not yet represent a problem for forest management. The area around the village is not under a high degree of the environmental protection. Many trees and plants are heavily affected by the industrial pollution. It is very probable (although I did not find any relevant data from the region) that berries and mushrooms accumulate heavy metals from the soil. Fungi, in particular, are prone to heavy metal intake and thus are highly likely to be contaminated around mining waste sites. Another conflict-generating activity is collection and selling of metals. Roma systematically search the village and abandoned factory sites, break blocks of concrete for the metal wires inside or dig for abandoned cables. As an NGO activist working with Roma in Rudňany explains:

Collection of metal is a good example how people misjudge Roma. I saw a couple of chaps from Pătoracké digging a hole for three days because somebody told them there should be a copper cable down there. They are not lazy and they will work if they have an opportunity.

In the case where there are clear ownership rights the metal collection is a source of tension, although it looks as though this is already past its peak, because the amount of metal available for selling is minimal. Forest exploitation or collection and management of waste are the areas where the environment represents a source of financial or in-kind income for the Roma.

Yet the environment is also a source of stress. The Roma settlements in Rudňany are located in two environmentally dangerous spots with permanent threats to human health and life. It is therefore important how Roma perceive these dangers and what their attitudes are toward the environment.

Entitlements and Resources

The Roma in Rudňany are newcomers. What is even more important, they are poor newcomers. When they started to settle down in the area in the 1960s and 1970s, all the forests, agricultural land, and mines were state property. After the communists seized power in 1948 they gradually nationalized the property of entrepreneurs and farmers in Rudňany. What was not state property belonged to individuals in the village. Roma were allowed to settle down because the factory needed manpower. Zimna Dolina was initially opened for their huts and dwellings. They did not have

money to buy the land and it is questionable if the village or villagers would have sold it to them even if they had.

Their position was of an intruder who is useful for the time being, but who is not considered part of the society. Entitlement of these people thus did not include any power over the place they were living in. They were free to move, but they had nowhere to go. In the 1960s the community grew in number. The reasons why and how exactly the Roma resettled from the village center to new places on the outskirts of the village are unclear. Most non-Roma I interviewed claim that the main reason was the growing size of the population and the need for space. This argument is doubtful in the light of the fact that there is still plenty of empty space in Zimna Dolina. Apparently, the resettlement was somehow linked to pressure in the village. It is hardly imaginable, that Roma would voluntarily abandon a well-located place in the village center and move long distance out without being pushed so.

Roma carefully admit that there was some pressure from non-Roma to move out of the village center, but they were not able to recollect any incident or threat of action that would support this claim. As PF, a forty-seven-year-old male Roma from Pătoracké put it during an interview in the summer of 2004:

PF: Gadjos⁶¹ [non-Roma] did not want us in the village, they told us to leave.

Q: Were you threatened to leave?

PF: They said we should leave, so we did. I don't remember exactly, I was kid in those times. Somebody told us there were rooms empty [in the former administrative building]. It was also closer to my father's work.

Q: Were you aware that this place may sink down and that there is dirty land around?

PF: We were happy to have a place to stay. I want to move to these new houses but the mayor doesn't want to build more of them for us.

There is no written evidence about this resettlement. Municipal records do not exist (the village chronicle was stolen in the mid-1990s) and the Roma do not possess any written documents about this event. At the beginning of the 1970s they moved to the Zabíjanec and Pătoracké settlements, where their entitlement remained virtually nonexistent. Settlement in the Zimná Dolina was turned down and today you will not find any trace of the former buildings there. From public land in the village center they moved onto land belonging to the state-owned mining and ore-

⁶¹ Gadjo (plural Gadjove) is the Roma term for the "whites." In local slang among the "whites" it means farmer or redneck.

processing company. They do not possess any entitlement over the natural resources (e.g., land or forests) surrounding their settlement.

Social exclusion, discrimination, internal fragmentation, and the weakness of social bounds within the community and with the outside world are key determinants forming the social situation of the Roma and influencing the past and present locations of their settlements in environmentally unsuitable conditions. The process here illustrates how a weaker ethnic group (i.e., the Roma) is susceptible to unequal treatment in the distribution of environmental benefits and harm.

The location of the weaker group has to be seen and analyzed in the multilayer relationships between Roma and non-Roma. I consider entitlement over natural resources to be the key factor in framing environmental awareness and attitudes of Roma in the village. At the same time the entitlement has a key role in forming the relative strength or weakness of different social or ethnic groups. Management and exploitation of the natural resources could provide the following opportunities:

- source of income and jobs;
- capacity building for individuals;
- enhancement of environmental awareness;
- space for cooperation among different groups and individuals.

The land they occupy belongs mostly to the collapsed factory and sooner or later will be sold or transformed into the possession of a physical or legal entity.⁶² The surrounding forests are managed by the state-owned forest company without any involvement of Roma in management and protection. Arable land and pastures are privately owned by non-Roma. Under these circumstances, the environment does not provide any longer term or legal opportunity for the people. It only contributes to the further marginalization of the community through exclusion from the environmental benefits and a share of the natural resources. What's more, illegal firewood collection is serious source of legal consequences for many people in the shantytown.

Lack of entitlement over resources, poverty, and a different ethnic origin from the very beginning played decisive roles in the power relations between Roma and non-Roma. However, the power relations in the village went through significant changes in the past twenty years. When the

⁶² The factory left behind big debts and extensive liabilities, including environmental, and its market value is therefore problematic.

Roma first came to Rudňany in the 1950s, the dominant decision maker was the mining and ore-processing company and its management, together with the local administration. This role was transferred to the municipality and elected mayor after the company collapsed in the beginning of the 1990s and governance went through democratization and decentralization processes.

When resettlement of the Roma happened in the 1970s, the Communist Party of Slovakia had the decisive power in the village. It acted through two subordinate bodies: company management and local administration. Most of the inhabitants were directly or indirectly (e.g., in the secondary school for miners, the local hospital affiliated to the company) paid by the company. The company built houses, supported social programs, set up two schools in the village, and was involved in the decision-making process on any investment, policy, or action to be undertaken in the area.

The mayor of the village (in those times called the chairman of the Local National Committee) needed approval for the position by the Communist Party, as was the company management. This meant that the management of the company and Local National Committee were formally independent bodies, but in reality they were controlled by the same party. This created a system of direct control in the village with very limited influence from the marginal inhabitants. However, the Party did not want conflicts in the village, and a functioning economy and operating factory were the priorities. Therefore majority interests were supported unless they were not in opposition to the official policies of the Party. The beginning of 1970s was a time of centralization and consolidation of the Party after the occupation of Czechoslovakia and the collapse of the reform movement in 1969.

Whether Roma were pushed to leave their former settlement or if they decided to do so “voluntarily” is not crucial. As a result, Roma settled on the environmentally problematic sites with the silent and unwritten approval of the company and local authorities. In the period of concentrated power it is unimaginable that Roma would have been allowed to settle down there against the will of the Party and its local executive bodies.

The other side of the coin is why the company and municipality did not provide Roma with company apartments, when this was common practice for its non-Roma employees. JB's experience is typical for his generation. His life and story illustrates these points. Born in a Roma family in the nearby village of Poráč, he moved with his family into Rudňany at the end of the 1960s. He was in his late twenties at that time. His family settled down in a hut in the central part of Rudňany and JB found a job in the mine. In his words:

I came here [to Rudňany] because of a job and money. I worked before at a cooperative farm but they did not pay so well. My cousin lived here and told me about this . . . I worked in the mine for twenty years and now I have a miner's pension, otherwise my family could not survive now . . . They [non-Roma] did not want us in the village and there were these houses here.

JB has lived in Pătoracké for more than thirty years. Most of this time he worked as a miner in extremely harmful and dangerous conditions. For twenty years he woke up in the morning in a small hut built from scrap materials and went to the nearby mine. The salary was good and he was (and still is because of the miner's pension) able to support his family of seven children and dozens of grandchildren. Just before the collapse and closure of the local mining enterprise, JB retired. All his children are unemployed and his pension is a substantial part of the family income. JB suffers from respiratory disease and after a life spent doing hard physical work cannot afford anything more than living in the same hut in Pătoracké.

This story illustrates that discrimination and social processes related to environmental injustice in the village are affiliated with two different types of regimes and ownership patterns. Both former socialist regime and present liberal democracy created opportunities for discrimination and exclusion from society. JB's life story is typical of his generation, who were the first settlers in Zabíjanec and Pătoracké. Like his Roma colleagues, he was a citizen of the socialist regime, which verbally claimed that the working class is at the center of attention and support. I had the following exchange with a retired non-Romani foreman from the mine:

I used to have a couple of Tsigany [Roma] in my team. I had never complained about them. They knew how to work, they just had some problems with discipline, after every salary there was a fiesta in the camp [Romani settlement]... Everybody knows they destroyed everything they got. They had the same access to support as I did. I built my house on my own, I saved money, took loans, they spent whatever they received. Even now, why these houses [newly built municipal apartments for Roma]? Who is going to build a house for my daughter?

The foreman—typical for most interviewed non-Roma—does not recognize that there was much more support for the non-Roma. While fellow non-Romani miners were living in apartments built by the company and given to the employees practically for free, JB spent his time at a place surrounded by mining waste and in constant danger of landslides. The system of subsidized apartments or low- and no-interest loans for housing construction was practically unattainable for him. To receive an apartment

from the company required a substantial amount of time, energy, and know-how. The apartments were assigned based on a complex system of the applying person's work evaluation, the Communist Party and trade union recommendations and, last but not least, personal contacts.

Despite the fact that I did not find indications of corruption in this system, two non-Romani miners interviewed described this process as long and complicated. Moreover, members of evaluation committees were often themselves inhabitants of the apartment buildings. Their willingness to allow Roma families to move in was minimal. During informal talks I held with apartment residents they shared an openly anti-Roma position that could be summarized in the following way: Roma were working with us in the mine and as individuals they are sometimes fine (this and that guy is "normal"), but we would never allow them to live next door. They have big families and once you allow one of them to move in, they bring another twenty relatives along.

The fragmented Roma community, cut off from the decision-making process, had practically no influence on its future. Political organization and activism were allowed only in organizations under direct control of the Communist Party, and the Party was dominated by non-Roma.⁶³ This resulted in a status quo where Roma worked in the company and lived in places endangered by landslides and industrial contamination, but had work and stable incomes.

The collapse of the mining company, democratization, and the withdrawal of the Communist Party from power are the cornerstones that have been shaping power relations in the village since the beginning of the 1990s. These changes found the Roma in Pătoracké and Zabíjanec unprepared for change and have had a devastating impact on the communities. Human rights, freedom of speech, and the end of the one-party dominance have been accompanied by economic hardships, unemployment, privatization of resources and diminished opportunity.

People and the Power

Many external and internal factors contribute to the social exclusion of people from the shantytowns. The unequal distribution of environmental benefits and risks needs to be analysed within a framework of deeper so-

⁶³ In fact I did not find any members of the former Communist Party among the Roma, while at least five non-Roma interviewed, including municipal council members, admitted that they were members of the Party.

cial processes and mechanisms causing the differentiated treatment. Focus is on the question of “why” these trends arise. Ethnic prejudices and open and latent racism are key factors shaping the relationship between Roma and non-Roma. Prejudice is widespread, and the most common descriptions of Roma characterize them as lazy, unable to take care of their life and children; they are often labeled dirty and smelly. These prejudices were often mentioned in informal conversations with non-Roma.

As an illustration, I set forth my personal experiment. Several local Roma complained that if they visit one of two local restaurants, they never get their drinks in glasses, but always in disposable plastic cups, in order to prevent a non-Roma getting the same glass the next time. I invited two young Roma to both places and in both cases my drinks were served in a glass while they received theirs in plastic containers. This practice is considered normal by the waiters and non-Roma in the restaurants. This reflects the image of Roma among the non-Roma as dirty and inferior.

Already mentioned housing provides a very good example. A widespread perception is that Roma do not deserve any better accommodation because they will only destroy everything anyway. This opinion is based on the experience from the past, when the socialist government built public houses for Roma in many villages in Eastern Slovakia and moved them into these places without any preparation or social assistance.⁶⁴ The authorities also often put together groups and families on a very different social level, with different cultural heritages and habits. These sparked conflicts among the inhabitants and destroyed the social hierarchy.

Many people from shantytowns had no previous experience with life in apartments. They were not able to manage what they perceived to be complicated devices such as gas heaters or bathrooms and they quickly destroyed the places. The fact that these apartments were given to them for free contributed to the low perception of ownership.⁶⁵ These experiences formed prejudices and influenced situations in the village as any effort to address the Roma housing problems are perceived as useless and wrong. Or, as a council member in the village mentioned in an interview: “It is not something that will help you to get elected to the city council” (personal interview, August 2003). This comment relates to the second factor: local governance. Power delegation in the elected municipalities

⁶⁴ This happened, for instance, in nearby Krompachy and in Košice.

⁶⁵ Experience from socially sensitive housing projects (e.g., in Spisske Vlachy) show that Roma do value their houses and maintain them if they are well prepared, involved in the construction and consulted and trained during the resettlement projects.

was not supported by sufficient financial sources and found local municipalities unprepared for new conditions of deindustrialization and economic transformation. Prejudices and deeply rooted antipathy against Roma have influenced the decision-making process dominated by non-Roma.

According to Slovak legislation, the village Rudňany is governed by an elected mayor and ten council members. The mayor and the council hold the decision-making power in all areas of daily management. This includes management of public services, planning, investment decisions, and budget distribution. The budget comes from local taxes and a central government contribution. The Roma as a group are fragmented, and many of them are under the age of eighteen, thus not eligible to vote. These circumstances led to the situation where Roma were not represented in the city council for almost two decades.

The mayor and municipal council were elected by the village inhabitants, who often hold strong anti-Roma opinions and prejudices. Under these circumstances the people who dominate the local government balance between popular anti-Roma prejudices among the voting majority and pressure from the central government and NGOs to address problems of the Roma community. In practical terms this means that if the budget debate to grant money to a local soccer club or for projects addressing Roma needs, the former wins. Nevertheless, times are changing and the justification of the local council member in the interview when talking about this decision already contains sentences on soccer as a place for interaction between Roma and non-Roma youth. This would not have been the case several years ago. As one of the NGO activists recollect:

A few years ago when we discussed with the municipality the need to address Roma problems people were almost jumping on the table; one council member went regularly out to the corridor and shouted "to hell with all these NGOs." After several years they understand we have to do something for these people and we have to do this together. Now they are coming to us with ideas for what to do and what projects we have to underwrite.

Such remarks on the changes highlight the importance of external agencies (namely, NGOs) in setting the agenda and positively influencing the decision-making process. However, it is a long and slow process of Roma emancipation and it will also depend on the Roma themselves, their ability to unite and formulate their interests. The trend is clear, and Roma will eventually outnumber non-Roma and may possibly take over local governance.

The last elections took place in 2010. The mayor was elected as an independent candidate, while out of the ten members of the council as many as three are Roma representatives. This is a significant shift. There was not a single Roma in the council before as the Roma were not able to unite and agree on their candidate (who could have applied for the position as an independent candidate or as a candidate of one of registered Roma⁶⁶ political parties). It is a trend visible in many Slovak settlements, that Roma are increasingly able to overcome internal fragmentation and unite for local councils and mayoral elections. Roma are increasingly not “passive objects” but rather active subjects aspiring (or potentially aspiring) to increase their share of resources.

It appears that Roma are gradually able to overcome the problem of internal fragmentation in the community, where there is open and hidden hostility between the inhabitants of Pātoracké and Zabíjanec, as well as within these two communities. To understand this fragmentation we need to be aware, that Roma community is divided into casts, within which there are people considered by other Roma as inferior. I witnessed a Roma wife of non-Roma throw out into garbage four very nice and relatively expensive glasses touched by the “inferior” Roma invited by her husband for a drink.⁶⁷ Perhaps result of the attitude going back to the Roma Indian origin and “untouchable” cast.

The key problem also appears to be the absence of generally accepted leaders, because in practice the only people who are accorded some respect are directly or indirectly connected to usury. Voters in the village are so far mostly non-Roma. Although the Roma number in 2003 was 38 percent of the total inhabitants, but if this figure is broken into the age categories, it is evident that the number of eligible Roma voters is less than 25 percent. In the category of people above sixty, there are only 15 Roma out of the 354 people (see Table 2).⁶⁸ In 2010, total percentage of the Roma inhabitants increased to 45 percent. Young Roma are getting to the voting age and it is reflected in the election of their representatives.

⁶⁶ There are currently fourteen registered Roma political parties that are officially united in Coalition Council of Roma Political Parties. In reality they compete with each other.

⁶⁷ For the purpose of this section I do not discuss this humiliating approach from ethnic or moral perspective and I am not saying that the roots of this practice are purely in perceived health prevention.

⁶⁸ The decision on who is Roma and who is not in the data collection was done by the municipality based on their opinion or perception.

Table 2. Age structure of Rudňany inhabitants as of February 28, 2003

AGE	Up to 3	4–6	7–15	16–20	21–60	61 and over	Total
Total	309	221	591	305	1,531	354	3,293
Roma	242	141	313	133	415	15	1,259

Source: Rudňany Municipality records.

Yet even if more empowered, the question arises what they can actually achieve in the given economic and social context? Roma are poor and their main source of income—social assistance—is decreasing, while their ability to find any job is decreasing as well. Negative trends started at the beginning of the 1990s and were reinforced in the 2000s by social reforms of the center-right governments tolerated also by the left-wing government (in power between 2006 and 2010). Cuts in social assistance, introduction of payment for health services, increase of taxes on food and deregulation of prices of energy and water further deteriorated the social situation of the community.⁶⁹ At the same time, a great share of burdens from austerity measures introduced in 2010 became the burden of municipalities. State is withdrawing from many services and municipality, whose income depends to a great extent on taxes from its residents, and is looking to cut down budget in the situation, where more and more people depend on the services.

Roma and the Environment

Contrary to widespread prejudices among non-Roma, Roma are not “dirty” or “careless” about their houses and their environment. Most huts and houses I visited were very clean and neat. Washing of clothes is a daily routine for many Romani women, yet their poverty is also reflected in the quality of clothes they wear. More complicated problem is understanding of pollution.

I was interested in how Roma understand the importance of a clean environment for a healthy life. Most families in settlements have witnessed the chronic diseases and death of men who used to work in the mines. As a Romani woman said during an interview in the summer of 2003: “My Janko worked in the mine on the upper corner. More than

⁶⁹ For instance, as the result of flat-tax introduction, the value-added tax for food and beverages increased from 6 percent to 19 percent in January 2004; new reforms in 2011 introduced payment for health services previously covered by health insurance.

twenty years and he died, he was only forty-five . . . They inhaled this bad air in the mines. All these men are gone. They were dying fast.” The relation between “bad air” in mines and premature death was common knowledge among the people in the settlements. It was more difficult to link the mining waste surrounding the Pătoracké or the polluted soil in Zabíjanec to concrete health problem and threats.

The conclusion of my observations and interviews is that the Roma mostly understand environmental threats if they are visible (e.g., dust in the mine resulting from drilling or explosions), while the not-so-visible pollution of soil is neglected. They do not perceive the level of contamination as the most acute problem. Most of the people have lived all their lives surrounded by mining waste. The older generation worked in the mines and the younger was born on these waste dumps. The specific situation in Pătoracké is imminent and visible, with the threat of landslides and the danger that the houses will sink. The environment was not used by any respondent as an argument for solving the critical situation in the settlements with the exception of the threat of landslides.

Most of the people cited difficult social situation, danger of epidemics, inadequate construction of houses, and the number of persons per square meter as the reasons for resettlement. However, the environment was often indirectly mentioned. This example is from an interview with a Romani male around thirty years old in Zabíjanec in September 2004:

Q: Do you think if the mayor built houses for you on the same place as the current camp is, everything would be all right?

A: I don't want to live here. It is dirty here. I want a house somewhere else, closer to the village.

Q: But this dirt could be cleaned and removed, don't you think?

A: Everything is dirty here. It is not our work, we did not do this, gadjos made this place dirty. This is no place for men. Just look at this red mud everywhere.

Q: Do you think people are sick because of this red mud?

A: Everybody is sick here, there is something . . . kids are sick all winter long, there is not enough firewood, the water pipe is frozen in the winter [the only source of drinking water for the community].

People in Zabíjanec and Pătoracké know that these places are not suitable for living. Although they do not specifically speak about environmental threats, they understand that there is something wrong with living on a derelict factory site or on top of a former mine. The problem is that in the situation where even the danger of landslides and casualties is not sufficient to deliver prompt action, the slow health impact of the polluted environment is not considered serious enough by the competent authori-

ties. The Roma themselves do not believe in radical responses and mostly accept these risks as part of daily life.

The Roma's perception of the environment is formed by at least three strong factors: lack of entitlement to natural resources; environment as a source of danger; and environment as a source of income. All three contain the motif of exclusion—from ownership, management, and legal recourse.

Lack of entitlement over natural resources and the practical exclusion of Roma from the management of natural resources contributed to the situation where Roma often see nature as the property of non-Roma. Any environmental protection is seen as a tool to further exclude them and limit their access to the environment. These perceptions are highly visible, especially in the case of forest management and protection.

The forests surrounding the village belong to the state and are managed by the State Forest Company, which does not employ Roma at any level. Some Roma were employed as workers at the company before 1989, but were among the first to lose their jobs. The forests are the common property of the people, but when interviewing Roma in both settlements in Rudňany, the general attitude was that the company and forests belong to the “whites” and the Roma have no rights to them. A middle-age Roma male (A) illustrates this point:

A: They took this forest. It is theirs [i.e., belonging to non-Roma].

Q: Do you think it was always like this?

A: It was always like this. Now Roma have no rights.

Q: But the forest is still state-owned and you are also a citizen of this country.

A: I don't know, I don't think. It is not ours and it will be even worse.

Q: Why worse? What do you think may happen?

A: They will not let us in.

Perception of ownership and entitlement to natural resources changed in the 1990s. The transformation of property rights created a strong impression among the Roma that everything has an owner. Nature is therefore often labeled as “theirs,” “property of the whites,” or “belonging to the mayor.”⁷⁰ The need for environmental protection is then seen only as an additional means for Roma exclusion.

⁷⁰ For Roma the mayor often symbolizes power in the village and they simplify his position to that of the ultimate ruler and decision maker in the village.

Environmental Injustice

Roma are born separately, live separately and if you visit the graveyard in Rudňany, you will see that they are also buried separately. Socioeconomic and environmental stresses divide this village. Not that the village was not split in the past, but then there were at least multiple interactions between the majority and minority through work in the same company. The division is also visible in the distribution of the environmental resources and if we take any of the definitions we discussed in the beginning of the book, it is clear that the village may serve as a case study of environmental justice. (e.g., relative environmental characteristics in the Romani and non-Romani parts of the village, distribution of the environmental threats, discrimination in procedures leading to decisions concerning the environment). Data gathered support the claim that Rudňany is an example of unequal treatment when it comes to the distribution of environmental benefits and harm. History matters and the current pattern of this distribution is closely related to social processes in the past and in the present.

Weinberg (1998) points out that learning how groups come to be exposed to toxic wastes requires an understanding of the organizational processes that shape decisions regarding production practices and regulatory enforcement strategies. I would add that it is equally important to understand the situation of the minority in a context of minority-majority relations and the general circumstances of human rights and development policies.

The situation of the Roma living in Rudňany is alarming, and the environmental threat they face is unequally high compared to the majority population. Nevertheless, environmental concerns are not high on the agenda in the ongoing discussion among the community, local municipality, and other involved stakeholders. The case is framed, more or less, as a social issue for several reasons. Most important, the social situation of Roma living in these shantytowns is bad. I visited cellars where families of up to ten members live and sleep on a concrete floor a meter below the surface. In Pătoracké the houses could sink at any time. Environmental awareness among the Roma community and local municipality is relatively low, however, and environmental concerns are often seen by respondents as marginal or important only in the long run.

The logical concern then would be what contribution the environmental justice concept might have in addressing cases of these marginalized communities like those described here. Agyeman and colleagues (2002) claim that “one explanation for the success of the environmental

justice movement can be seen in the mutual benefits of a coalition between environmental and social concerns.” This statement is also valid vice versa. It means that social problems could be more successfully addressed if they were accompanied by environmental concerns. Rudňany represents a case where environmental justice argumentation might provide an additional argument and reason for immediately addressing the situation of the Roma in shantytowns.

The contribution of environmental justice might also be seen as affecting the agenda of the municipality and changing the attitude of the inhabitants toward recognition of the importance of placing any short- and long-term planning and development into the context of equity, social, human, and environmental rights. Distribution of the environmental harm and benefits in the village also reveals the importance of entitlements over natural resources for the formation of relative strengths and weaknesses of different social and ethnic groups. The management of natural resources (i.e., the distribution of land for settlements) is the key factor in the origin of environmental injustice cases as well as in addressing these cases.

There is an interesting parallel in the situation of the Roma and the former non-Roma inhabitants of Pătoracké. In the 1970s, when the first signs of potential landslides and subsiding were detected, there was an immediate action and all residents were moved to new apartments and houses. Those people were the village elite (administrators with the company and prominent employees). In the case of the Roma, it took some thirty years and the first real landslide in 2001 to force any action and to build first social houses. There are still hundreds of people living there with an unclear future and the community is growing.

Both Pătoracké and Zabíjanec social houses are built in segregated areas. I am not saying that it is bad that these people will find new houses with tap water and toilets. Yet I am afraid that it is the sign of a broader problem how social projects are used for maintaining or even deepening segregation. This is the point I address in several other places of the book. To make the prospects even worse, there is well-justified apprehension, that it was the last large-scale project the municipality might offer. In the absence of work opportunity, segregated from the village, the main Roma strategy to survive will be focusing on social contributions. These are and most likely will continue to decrease and face more restrictive conditions. The social houses thus resemble temporary solution, while there are substantial threats of further ghettoization. Finally, the growing population of young Roma will most likely return to the very same shantytowns their fathers left behind.

CHAPTER FIVE

The Svinka River: People, Water and the Environment

The Svinka River's upper watershed region is located in the northeastern part of Slovakia. This area has traditionally served as a source of labor for the nearby cities of Prešov and Košice. Its agricultural land of low hills and forests was not used for industrial production. Cooperative farms and the state-owned Forest Management Company were the main sources of employment for those who did not want to commute or resettle. The region has been going through significant economic and social transformation since the beginning of the 1990s. This transformation meant new economic and life opportunities for some and a worsening of the social situation for others.

For the purpose of my survey I selected three villages in the region: Hermanovce, Jarovnice, and Svinia. They are situated ten to fifteen kilometers apart (see Figure 13). The Roma shantytowns (located in each of the three villages) are separated from each other by several kilometers, but the people meet regularly, including for mixed weddings and for other social encounters. Although belonging to different municipalities, their lives and problems are very similar and one can find general patterns in their position in society and access to social and environmental resources.

This chapter describes each of the three villages, focusing on Roma access to environmental benefits and their exposure to environmental harm. It then analyzes the current distribution of environmental benefits and harm.

The first village I decided to study was Jarovnice; probably because the village became well-known in Slovakia after a disastrous flood in the summer of 1998 that left forty-seven dead. Forty-five of the victims were Roma (42 from the shantytown in Jarovnice). These figures require closer investigation. Why were Roma so highly represented among the victims? The initial pilot study I did in the summer of 2003 confirmed my assump-

tion that there is a clear pattern of discrimination in the distribution of environmental impacts typical for this area—namely exposure to floods. I also realized that better understanding of the phenomenon of the environmental justice and its patterns would require a broadening of the scope of the case study. Hence the decision to add two other places (Hermanovce and Svinia) in order to better understand context, differences, and similarities in the unequal treatment and differentiated access to natural resources.

Figure 13. The Upper Svinka River watershed



All three places fulfill my initial criteria: ethnic characteristics and presence of a strong Roma minority; clear ethnic division between Roma and non-Roma settlements; and a social situation with negative economic impacts from the economic transformation on the inhabitants and widespread poverty (not only among the Roma population). Distribution of environmental benefits and harm was at the center of my research in these three small Eastern Slovakian villages. My interest was further guided by the following objectives: (i) To examine the historical, social, political, and environmental context that has influenced the present location of Roma settlements in the three villages; (ii) To study the power relations that shape the lives of the majority and minority in the villages (What is the political organization in these communities? Does the ethnic minority have any access to decision making at the local/regional/national level?

Do some groups and individuals control other groups and individuals? If so, how?); (iii) To determine the social processes that contribute to unequal exposure to risk (E.g., was the present—or past—impact of floods discriminatory against some of the inhabitants? If it so, then why?); and (iv) To ascertain whether access to drinking water and sanitation is equal for the Roma minority and non-Roma majority (If so, why? What are the factors contributing to differentiated access?). To start up, let us have a look at the environmental conditions.

The pollution exposure in the region can be described as relatively low (SEA 2002). There is no heavy industry or mineral deposits. The nearby city of Prešov is a relatively big source of air and water borne emissions, but the impact is negligible in the area of the case study.⁷¹ The main sources of pollution are agricultural production and household waste. Co-operative and private farms are using industrial fertilizers that end up in the surface and ground water, which has a strong impact on the water quality in the region (i.e., Svinka River water).

Household waste is a growing problem for the municipalities. The amount of waste has steadily increased since the beginning of the 1990s.⁷² A deteriorating social situation and increasing fees for waste collection make it hard for many people to pay for these services. The solution for them is illegal dumping. In the case of the Roma settlements, dumping waste in the vicinity is common practice. There are also commercial landfills serving industry and business from nearby Prešov.

Perhaps the two most important environmental factors (from the environmental justice perspective) are landscape management and climate change. Agricultural practice focused on production intensification, timber production-focused management of forests and water catchment areas, clear-cutting, and illegal logging are environmental problems with impacts on the landscape and water-retention capacity in the area. In the same, the most significant impact of the ongoing climate change already recorder and further predicted for Slovakia is the one tight with changing pattern, intensity and scope of rains. These two factors together contribute to increasing flood intensity and frequency.

⁷¹ The case study area is upstream from the city and not in the direction of prevailing winds.

⁷² Opening of the economy brought greater competition, reflected in the growing amount of packaging waste (often nonrecyclable). Consumption patterns of the inhabitants also changed. Due to the economy of scale, but also policy of agricultural subsidies in the EU, some products are cheaper to buy than to produce at home.

People, Housing and Segregation

Administratively the upper watershed of the Svinka River is part of Prešov County, while selected villages belong to the districts of Prešov (Hermanovce and Svinia) and Sečovce (Jarovnice). The settlement pattern in this area is characterized by small villages mostly between 1,000 and 3,000 inhabitants. There is practically no industry in the area with the exception of several small sawmills, construction firms, and repair shops. Most of those who still work are employed either in agriculture (mostly former cooperative farms now turned into private farms) or commute to the nearby industrial city of Prešov. The region has a relatively high natality rate of 13.03 children per 1,000 inhabitants. Long-term unemployment rate in this region is above 20 percent, while in many Roma settlements it is close to 100 percent.

The region is located in northwest Prešov county, which is characterized by low hills (maximum 600 to 700 meters above sea level), mixed forests, and agricultural fields. The Svinka River collects water from the hills of Branisko in the central part of this region. The water collected is part of the Tisza River watershed.

There are no protected areas, that means no valuable cultural monuments or significant places in the Upper Svinka Watershed. It is a region that was for centuries remained off the beaten track of history and development. This relative peace and “invisibility” could be among the reasons why this place was so popular for Roma settlement.

Economic transformation after 1989 brought with it the collapse of traditional industries and many cooperative farms, with massive downsizing of employees. This was especially the case for low-skilled jobs and professions. There has been a gradual revitalization of industry (especially in Prešov) and some of the cooperative farms now operate as private companies. However, to keep a job or acquire a new one usually requires higher education or the need and the means to commute.⁷³

The Prešov region has besides the highest rate of unemployment in the country also the smallest average salary. However, even the low-paid jobs are practically unreachable for Roma. Cases of refusals to employ Roma were mentioned in interviews by Roma, social workers, and NGO representatives. As a male Roma in his forties summarizes a rather typical experience: “When I made a call [to apply for a job] it was good, they said

⁷³ The distance from Svinia to Prešov is about ten kilometers, from Hermanovce to Prešov about twenty-five kilometers, and from Jarovnice to Prešov, twenty kilometers.

they need me, when they saw me that I am black, the job was already occupied” (personal interview, Hermanovce, August 2004).

The main employers in the three villages are cooperative-cum-private farms. The agriculture is focused on wheat and potato production and cattle and poultry breeding. Arable land represents 42.8 percent of the agricultural land, but out of this as much as 55 percent is classified as low-productive land. Cooperative farms, railway, and construction business were the main employers for the Roma prior to 1989. I did not find regional (Eastern Slovakia) data on the employment of Roma in the past, but according to Šebesta (2005) “by 1967 the [former] regime reached 75.9% employment of the Roma male population in Slovakia.” Given the fact that unemployment was a violation of law under the socialist system, it is realistic to assume that the figure was not very different in the late 1980s. In the 1990s unemployment climbed to almost 100 percent in all three shantytowns included in the research sample. In the same time, unemployment of non-Roma in the same villages was around 30 percent (in 2008).

Reportedly, Roma have lived in the area for several centuries. There is no exact date when they arrived in the region. At first it was a small groups of traveling nomads; throughout the centuries there were several waves of larger-scale immigration into the area. In the nineteenth and beginning of the twentieth century Roma were mostly settled down. They found work in villages as blacksmiths, craftsmen, mud-bricks makers or as seasonal workers for local landlords and farmers.

The time of Roma arrival in the three villages is very unclear. It seems that settlements in Hermanovce, Jarovnice, and Svinia were built mostly after World War II, although there are hints that Roma families had lived here and there also prior to the war. After the war some of the families moved on to other places, hoping to find better conditions. They combined work at the fields, husbandry, ad hoc services for villagers and searched for niches at the market (e.g., production of mud bricks).

Several possible explanations arise for their selection of the region for settlement. It could have been some personal affiliation to this place. Some of the Roma may have lived there prior to the war. The case of Hermanovce suggests that the people were looking for abandoned houses without owners. The war and later on collectivization of farm land rather radically changed the villages, and in this time of chaos there were abandoned premises, and unclear ownership and entitlements over the land. It is also possible that Roma were not popular in the cities and the countryside provided asylum for them. Already mentioned *Directive on Govern-*

ing *Certain Conditions of Gypsies* (See Introduction) virtually requiring Roma shantytowns to disappear from public sight may also contributed to the migration. The Roma were probably not welcome, but they were not prohibited from settling down. However, two factors played a crucial role in the selection of places to live. Institutional discrimination and property rights combined with the commercial value of the land. As the already mentioned Anna Husarova, Romani woman from Jarovnice nicely summarized:

[After the war] survivors had to settle next to forests, in the middle of fields or on riverbanks. These were the only places where they were allowed to settle down and start over. They built huts and began to call them flats. No attention was paid to them, and they were given no help.⁷⁴

Commercial interests of the land owners were combined with the intention to get Roma out of the village and out of sight. Official government policies set up a framework for this unfair treatment. Roma shantytowns were thus sometimes built directly on swampland. Land in the three Roma settlements we focus on in this chapter does not qualify for settlement due to swamps and regular flooding only recently mitigated by anti-flood constructions. Houses are built outside of the villages—on the cheapest land.

The region was one of the backward regions in the former Austro-Hungarian Empire, and it remained as such in the newly constituted Czechoslovak Republic after World War II. Although Roma were always on the outskirts of the society, demand for labor and general dependency on farming made them an important part of the villages' economic systems. Many of the non-Roma were as poor as the Roma, and the difference between these two ethnic groups was not as significant as it became later. An important factor in relations was the size of Roma settlements on the village outskirts. They were initially very small. Although there are no census data available, according to inhabitants of the villages, Roma settlements (after World War II) were no bigger than several families, which meant around 100 people in Jarovnice and about 50 in Hermanovce.⁷⁵ If we assume that this estimation is more or less accurate, that would mean that in some fifty years the number of people in Jarovnice shantytown multiplied by fifty.

⁷⁴ Testimony from the Stories exchange project, www.stories-exchange.org/sep/english/stories/story.cfm?SID=118&CID=1.

⁷⁵ This estimate is very difficult to validate. It is based on estimates of Roma and non-Roma interviewed during my field research.

Two very important events for the Roma communities were World War II (and specifically the Roma holocaust) and post-war socialist industrialization (including new policies for their integration). The Roma holocaust directly affected communities in the region when several families were deported to concentration camps. The post-war period meant a new era for the Roma. Although the former socialist regime was generally not very successful with its integration policies, it succeeded in providing employment opportunities for people and in the case of Svinia built public housing for the former shantytown inhabitants. However, it suppressed any independent self-governance of these communities and deepened the dependency of the Roma on the state.

Table 3. Basic demographic and environmental characteristics of three Roma settlements in 2005

Name of the settlement	Number of houses	Number of Roma inhabitants	Total number of inhabitants	% of Roma in the village	Proximity to the village (in km)
Jarovnice	340	2,998*	4,051	80	0
Hermanovce	49	363	1,467	25	0
Svinia	105	686	1,332	51	0.45

* Official estimates from 2005, time of the field research. The latest estimations from 2012 talk about almost 5000 people in the shantytown, making it one of the biggest in the country.

Source: Field research results triangulated with data from the Office of the Plenipotentiary of the Slovak Government for Roma Communities and 2001 census data.

The beginning of transformation in the 1990s had a strong social impact on the three communities. It brought political freedom for all, but it also meant a social and economic fall for most Roma families. All the settlement suffers from complete unemployment and deepening social crisis. The scope of the problem is clear when we see that it is a problem of hundreds, or, as in the case of Jarovnice, almost 5,000 people. (See Table 3 for more details.)

The population growth in Roma parts of villages has had another impact besides poverty. Non-Roma started to feel further endangered by the rapidly growing Roma population and have tried to segregate them. A teacher from Svinia said:

If we announced any plan to make a mixed class with Roma and whites, the very next day parents of the white kids say that they take out their children of our school and put them in Prešov. So there is no choice. (personal interview, May 2004)

Segregation goes through Roma lives from cradle to grave. Segregated schools, segregated houses, segregated places in local bars, segregated graves at local cemeteries—the tendency to be separate from the Roma is very strong, and in the cases of Hermanovce and Svinia it has a practical impact on the Roma housing projects. Most of the non-Roma inhabitants of the villages would prefer to see new settlement even farther away from the village center. Yet this collides with the interests of the surrounding villages, and the high density of settlements in the region makes it impossible to find a place remote from all villages equally. The tendency is to use government- and NGO-backed plans for construction of public houses as the leverage for further segregation of Roma. A middle-age non-Roma inhabitant of Svinia said:

We do not want them here. If the government and the EU are so stupid they are going to build them houses, then only somewhere far away. They outnumber us, look at how many kids they have; we will be a minority here soon. This used to be a nice village, now all the young people are leaving, there is no future here. (personal interview, May 2004)

The hostile attitudes and feeling of danger is widespread among the majority. Although more than one-fourth of the people in Hermanovce are Roma (27.4%) and in the other two villages Roma are in the majority (Roma in Jarovnice represent around 90% of inhabitants, and in Svinia they stand at 51.5%), there was for long time not a single Roma member of a local council in these villages. But the times are changing. Not only here but in many places with the ethnic minority. In 1998 Slovak municipal elections 254 Roma candidates registered for local elections and out of them 56 were elected to councils. In the same elections 6 Roma mayoral candidates succeeded. In the latest 2010 elections there were 330 Roma elected to municipal councils and 29 successful Roma mayors. One of them in Jarovnice, where the first ever Roma mayor was elected in 2010. In Svinia, out of the 7 council members, there were first time 2 Roma representing settlement elected and the new mayor was elected with support of the Roma community.

An important factor playing a significant role in the social situation of the Roma is the size of families and number of children. This demographic trend may be illustrated by the fact that in the school year 2003–2004, there were 316 students in the local schools in Svinia, 216 of whom were Roma. In ten years of my field research and visits to the region, Roma population of Jarovnice increased by some 1,000 people.

Growing Roma population means not only more potential voters, but also more illegal buildings built on the environmentally problematic land, which do not belong to Roma and where they have no entitlements. Given the harsh economic conditions and discrimination, they can hardly get some. Yet it also means that the non-Roma dominance is fading away. Trends and scenario appear to be clear. The Roma will gradually have more eligible voters as the new generations reach the eligible age for participation in elections. It means that eventually Roma might take over the entire local elected bodies and dominate decision making in the villages. Elections in 2010 were a breakthrough event in this trend.

Some of the latest trends toward the Roma segregation might be interpreted from the perspective of non-Roma to escape the potential situation of being subordinated to a Roma council and mayor. The way explored is to segregate Roma and later village into two administrative units and simply leave the minority-cum-majority on its own. It has very practical consequences in Hermanovce and in Svinia. In the former they perhaps see construction of new public houses as a means to move them farther out of the central village, and in the latter they have no incentive to support construction of the public houses, which in the end may prove to be yet another step to the minority empowerment.

The open animosity of the non-Roma public, and the resulting unfriendly attitudes of local municipalities mean that the decentralization process or the EU and other foreign assistance, together with government funds, might in reality support steps enhancing segregation, while in theory the aim is the integration of the Roma into society.

Hermanovce

Most of the Roma in Hermanovce live in a separated shantytown between two forks of the Svinka River, which creates a small island in the lower part of the village (see Figure 14). The space occupied by the shantytown on the island is no larger than 200 square meters and it serves as the living environment for people in approximately sixty-five huts, mud houses, and shelters. Some Roma also live on the slope above the island. The village granted permanent residency to more than 400 Roma, while there are several people who cannot get a residence permit or are registered in other municipalities. The space is overcrowded. After long hesitation, the municipalities started to construct social houses in the area remote from the main village and in 2010 they moved out twenty-two families. Around 300 people stay in the shantytown.

Figure 14. Roma shantytown Hermanovce

Source: Photo courtesy of Daniel Škobla.

As in the summer of 2007, a total of 1,467 non-Roma were living in the village, separated from their Roma neighbors. Roma own practically nothing. Natural resources and properties in the village are private (agricultural land, pastures, a small area of forest), state-owned (most of the forests), or municipal (agricultural and other land). Theoretically, they are stakeholders in the management of municipal and state properties, but practically they are not part of the decision making.

The settlement is built on land that cannot be classified as a wetland. It is solid ground but if you dig a hole deeper than a meter, it is immediately flooded by ground water and thus not suitable for construction of brick or wooden houses that require a solid base. The settlement consists of poor houses constructed from waste wood, tin, and mud. In the 1940s and 1950s Roma moved into two abandoned houses, which were close to the current settlement and which were empty after the owners had died or disappeared. Nobody else was interested in living in the area at that time. The land where the settlement is located belongs to the village. The landfill for municipal waste is located in the same part of the village as the Roma settlement, on the slope above the Roma. The landfill is not pro-

tected against leakage and is practically unprotected against Roma (and especially their children).

There is almost 100 percent unemployment in the settlement (in 2004 only two people were employed by the municipality and a local entrepreneur). In the whole village there are 300 unemployed people (more than one-third of them Roma). The village inhabitants are predominantly Catholics (there is only a Roman-Catholic church in the village), but there has been only limited attempt to involve the Roma in religious activities.

The village has bought land from individual owners, using money allocated for the Roma grants by the Slovak government, and public housing was constructed with financial support from the European Union. Twenty-two apartments were built and additional twelve are planned for construction. After this, the shantytown is supposed to be closed.

The planned construction poses serious questions to the further development of the village. It is very probable that independent social infrastructure in these remote settlements of public housing may evolve, potentially including their own stores, schools, and church. This could accomplish total segregation of the Roma from the village. The final stage will apparently be administrative segregation. Also as part of this development project, the village is building public housing earmarked specially for non-Roma. This will be located directly in the village center.

Jarovnice

Jarovnice is another village in the Upper Svinka Watershed, out of the sample the biggest one. According to official figures, 2,998 of the 4,051 registered permanent residents are Roma. Unofficial estimates claim, that the number is actually much higher and reaches 5,000 in the shantytown. Governmental figures from 2000 account for 170 dwellings in the Roma part of the village. My 2010 estimate shows that the shantytown is comprised of around 250 dwellings and shelters. There are 36 social houses and another 36 container-type apartments buildings completed by 2012. The overwhelming majority thus lives in different types of formal and informal houses.

The shantytown went through significant growth in the past seventy years. Reportedly, there were only six Roma dwellings in the beginning of the 1940s. Roma mostly settled down here after World War II, while others came in the 1950s. They found a place on the bank of the Svinka River, built their village with their own skills and without any assistance from the government. The settlement consists of brick houses, various

huts, mud houses, and shelters (see Figure 15). No house inhabited by people from the majority population is built on the riverbank; they are all on the slopes of the valley.

It is probably one of the biggest shantytowns in Slovakia, rapidly changing Jarovnice into predominately Roma village with small minority of non-Roma. The Roma live in extreme poverty with almost 100 percent unemployment and virtually the entire population is on social assistance.

Figure 15. Roma Shantytown Jarovnice



Source: Photo courtesy of Daniel Škobla

Rapid growth increased demand for all kinds of resources, particularly potable water. Wells—dug privately and uncertified by a health authority—were for a long time the only sources of drinking water for the community. Inhabitants of the Roma settlement do not have equal access to water. The village has been ignoring the settlement during the construction of the municipal public water supply and the Roma population is dependent on several wells for their needs. The situation should improve at least partially in the upcoming years with government-backed project of water and sewage infrastructure. Conflicts over illegal logging are frequent in the winter season, when people gather firewood from wide area around the shantytown. There is no sewage system in the shantytown;

malnutrition and sickness are common. None of the elementary school graduates continue their education, and practically nobody gets a job after graduation. Because of the high number of Romani children, and high mortality rate, the average age in the village is only twenty-three.

Svinia

Svinia village is located in the eastern part of the Upper Svinka Watershed in proximity (10 km) to the county center of Prešov city. In the official census of 2002 only 27.1 percent (or 360 people) among the Svinia inhabitants declared Roma nationality. Estimates by NGO activists and people working with the community are significantly higher: around 684 people, while the “majority” population of non-Roma is 648 people. The municipality census from December 2003 showed the number of Roma to be 741.⁷⁶ This means that in practice the Roma in the village outnumber the non-Roma.

There had been two Roma settlements in Svinia prior to the 1980s. The locals call them “hamlets” (lower and upper). Part of the people from the lower hamlet was allowed to move into the village in the 1970s, to be expelled in the late 1980s, their houses torn down and destroyed.⁷⁷ Roma were moved into the second settlement—the lower hamlet where people from different families with different position in the internal Roma social hierarchy were forced to live together. The official reason was that the government had built public housing in the lower hamlet. The true reason was the call for segregation from non-Roma. Growing Roma settlement in the upper part of the village was increasingly criticized by the majority and this opposition found its way to the decision-making process in the village dominated by non-Roma.

There was no discussion about this resettlement. The entire operation resembled a military action, where people were forced to pack their belongings, put them on the waiting tracks, and their houses were torn down immediately after the people moved out. Not surprisingly, Roma still feel this was an act of aggression by the majority and a way for non-Roma to push them out of the village.

⁷⁶ The first written record of Roma in the village go back to the nineteenth century, yet the first settled families date back to 1917. Altogether nine people (2 adults and 7 children) were attracted by the local priest as workers at the church real estates.

⁷⁷ For detail and complex analyses of Roma in Svinia, see Scheffel (2005).

Apartment buildings erected in 1986–1989 in the lower hamlet are one of the last projects of the former regime's policy of Roma integration. Four two-storey apartment buildings (each with eight low-standard apartments) were built. Two previously separated communities were forced to live together and share the space, which opened latent tensions among the people in the lower hamlet. They now live in four apartment buildings (housing thirty-two apartments). Some fifty huts were built later as the number of people increased (see Figure 16).

Figure 16. Roma shantytown Svinia



Source: The Svinia project.

The local municipal council has seven elected members, none of whom were Roma, at least until the 2010 elections. Internally fragmented, the Roma were not able to agree on common candidates and in the elections they voted for candidates who virtually bought their votes with food and small gifts (interview with social worker, August 15, 2004). The council has previously developed a rather hostile attitude toward the minority in the village, reflecting the general attitudes of non-Roma toward Roma. On March 28, 2003, the municipality adopted a promulgation terminating the activities of several NGOs on the Svinia territory.⁷⁸ This legally ob-

⁷⁸ I.e., Habitat for Humanity International and Canadian International Development Agency.

scure act reveals the opinion on the part of the municipality that the problem lies in the publicity of the Roma problem, not in the situation of the Roma community as such. Most of the Roma I interviewed feel hostility from the majority: "They don't like us. They [the majority] don't want us here and they would do anything to get us out of here. We don't have a problem with them; they have a problem with us" (personal interview with a Roma inhabitant of Svinia in May 2004).

The recent history of the Svinia housing project serves as an illustration of this point. Since the beginning of the 1990s, the village has been one of the targets of development NGOs in Slovakia, and there have been several projects focused on improving living conditions in the shantytown. The most ambitious was initiated by University College of Caribou (British Columbia, Canada) and led by David Z. Scheffel (2005). Project Svinia, which involved the NGO Habitat for Humanity, and international and local activists attempted to build thirty family houses for local Roma in the part of the village known as Borovy haj. After the number of planned houses increased to seventy, the project was included in the EU PHARE program and reached the stage of initial preparations.

The only responsibility and liability on the side of the municipality was to provide land for these houses. The Ministry of Construction and Regional Development also supported the project idea and it generated a great deal of optimism among the involved stakeholders that the drastic social and environmental situation of the Roma in Svinia would soon be addressed. However, a new mayor and local council elected in December 2001 effectively buried this project idea by canceling the decision of the previous council approving the construction work in Borovy haj. They changed the locality of the Roma project, which practically eliminated any chance to obtain a PHARE grant, because it would require submitting a new application and starting up the complicated procedures once again. As the result, several years of NGO work and lobbying were lost and there is a slim chance of receiving new funding for Roma houses in the foreseeable future.

The last municipal election in the village took place in 2010 and the process for the first time ever started and ended rather differently. Roma from the hamlet united and elected first ever their candidate for mayor in the village and two (out of seven) council members. One of the first priorities of the newly elected mayor in Svinia is reportedly to build new well for the shantytown. One of the promises was also that she will open jobs in the municipality management to the people from the minority. This

is understood by non-Roma as a direct attack on the very fundamentals of how the village functions.⁷⁹

Seven of eight people in the election committee refused to sign official report from the elections.⁸⁰ Non-Roma from the village appealed to the constitutional court to annul the elections results, claiming that the Roma were manipulated and terrorized by usurers to vote for the Roma mayor and council members. It took constitutional court decision to confirm validity of the vote. Non-Roma are now facing a situation where policies and attitudes of non-cooperation and hostility they actively helped to shape may strike back. In the same time, they are not willing to accept the changed situation, which might turn into a long legal battle aimed at administrative separation of the Roma and non-Roma parts of the village.

A Tale of Water

Access to water and exposure to floods are the main areas of differentiated treatment in access to environmental benefits (i.e., clean, potable water) and different exposure to environmental threats (i.e., floods). Roma in the three shantytowns have regularly had problems with the supply and/or quality of potable water. The area is often flooded as a result of mismanagement of the water catchment areas and extremes in climatic conditions, which are increasingly affiliated with climate changes. These factors contribute to the present inequalities among the majority non-Roma and minority Roma population.

The specific problem of the region is underdeveloped water and sewage treatment infrastructure. In 2005 only 55.7 percent of villages in the county were connected to public water supplies. Only 15.6 percent of villages were connected to sewage water collection. Based on the data summarized in Table 4, it is clear that the problem with access to public water supplies is not specific to the Roma settlements. There are 790,321 people in the county, of which 199,139 (including 38,979 Roma) do not have access to a public water supply.

However, when we go from this macro-picture into more detailed assessment of the situation in the villages and Roma settlements, we find significant differences in the conditions between the majority and minority populations. In the case of the three Roma settlements analyzed in this

⁷⁹ Personal interviews, September 2011.

⁸⁰ All of them are non-Roma.

case study, there is a clear division between the village and the shantytown. All three villages have built municipal water supply systems, but Roma in the shantytowns are dependent on several wells or they even use water from the Svinka River for drinking and cooking (see Table 5).

Table 4. Access to public water supply in Prešov County

Number of districts		Number of villages				Number of inhabitants			
Total	With Roma settlement	Total	Without public water supply			Total	Without public water supply		
			Number	[%]	With Roma settlement		[Thousands]	[%]	Living in Roma settlement
			Total				Total		
13	13	666	305	45.8	91	790,321	199,139	25.2	38,979

Source: Adopted from data of the Office of the Plenipotentiary of the Slovak Government for Roma Communities.

Table 5. Roma settlements Jarovnice, Hermanovce, and Svinia and their access to water

Name of the settlement	Source of water in the settlement	Source of water in the village	Comments
Jarovnice	Wells	Public water supply*	River used for washing
Hermanovce	2 wells	Public water supply*	River used for washing
Svinia	2 public wells	Public water supply*	Roma regularly drink water from the river

* Several non-Roma houses in the main village are not connected to the public water supply and they use water from wells.

Source: Field research results triangulated with data from the Office of the Plenipotentiary of the Slovak Government for Roma Communities and 2001 census data.

There are two wells serving as the source of water for the whole community in Hermanovce shantytown. One is behind the road and the stream separating the shantytown from the village, and it provides water for a majority of the Roma. The second one is located in the settlement. This one contains water of very poor quality because it collects surface water. The village itself has water from individual wells and since 2002 from a drilled deep well, which was co-financed by NGOs and a local cooperative farm. The drilled well is connected to the municipal water supply

system already serving most of the village inhabitants with good-quality water. NGOs supported this project because the deep well provides a sufficient amount of water for the newly built and planned public houses for the Roma.

Hermanovce village is without sewage system treatment and the Roma settlement is located downstream below the village. Most of the people in the village live above the shantytown. Moreover, there is a cooperative farm upstream with extensive agricultural activities, including stock breeding. This means that all the pollution from the houses, including detergents and biological waste, flows through the settlement, which is only a few meters from the stream.

Figure 17. People in shantytowns often collect water from streams next to their houses



Source: Photo courtesy of Jan Kasz.

According to social workers, in the summer of 2003 Roma children were suffering severe allergic reactions as the result of swimming and playing in the water. Their parents' awareness of the environmental problems and impacts of contaminated water is extremely low. The people I interviewed usually do not see any direct connection between the village,

waste, and disease if the water is visually clean. Most of the houses in the village have individual sewage collectors, which are supposed to be regularly cleaned at the expense of the households. The economic situation in the village, but also low social and environmental awareness of the inhabitants, leads to a situation where many of the households simply make a hole in the collector and leave the waste to flow into underground structures and eventually into the river.

There are several dry toilets in the Roma settlement in Hermanovce that are built above the river stream and the waste goes directly into the water. Several meters downstream from the toilets I witnessed Roma children playing in the same water. The situation is rather similar in Jarovnice. Children and women are also the ones to collect water from the streams (see Figure 17). The problem is that the level of understanding the cause-effect relation of pollution and disease (e.g., allergies among the Romani children) is on a very low level, or does not exist at all. As one Roma mother puts it:

They have always been playing here [a few meters down the stream from the shantytown, under the wooden toilets built on the bank of the river]. I used to play here when I was young, what's wrong with this? I don't have bread for them, that's wrong... It is good in summer, they can collect berries and mushrooms to eat. (personal interview, Jarovnice, July 2004)

However, other Roma told me that although they are aware of the poor water quality in the stream, they have no alternative program for it. Moreover, the system of education and treatment of children is rather different in Roma families. Children are allowed many personal freedoms and a high number of children in families supports a system where older children take care of the younger. Lack of education, an absence of awareness, and inability to understand the cause-effect relation in pollution may contribute to a situation where the Roma are not fully able to understand the problem of water quality in the stream they use as the source of water and the relation between pollution and water-borne diseases. In Hermanovce, the village plans to build a water sewage treatment plant together with the neighboring village of Bertotovce. This is still only a plan with no financial or technical background. The village and the planned social housing for Roma should already be connected to this system, yet it does not solve present and future problem of the people in the shantytown.

The water supply in the village of Svinia is a more dramatic situation. There is no access to a public water supply in the shantytown and the

Roma use two wells as the only source of water. If there is not enough water in the wells, they take water directly from the Svinka River. The river is also used for washing. According to one of the respondents:

When it is dry, the well is not sufficient and we take water from the river. It is not good, but we need to drink and the wife cooks... The water is muddy sometimes but otherwise good... my wife also washes dishes there. (personal interview with a Roma inhabitant of Svinia, May 2004)

One of the wells is situated directly in the shantytown; the other is in the adjacent field collecting water flowing to the settlement via a gravity-driven pipe. The first well provides water that is visibly dirty and, according to chemical tests, polluted (information from personal interview with a local social worker, August 2004). This well was the only source of drinking water for the community until 2003. The second source of water is a water pump built on the outskirts of the settlement. Local NGOs paid for the third well, which was drilled in 2003. The two newer wells are reportedly of better quality, yet still not reaching hygienic standards.

There are two main problems with the water quality in these wells. First, the ground is swampy and does not serve water of good quality. Second, the shantytown is surrounded by agricultural fields with intensive agricultural activities, including fertilizing the soil with chemical and biological fertilizers that end up in the surface and ground water. The same activities are going on in the upstream fields, contaminating water in the Svinka River. Large capacity cesspool sumps connected to the housing faced a number of problems as well. These were built in such a way that their upper boundary was higher than the local terrain and they were constructed unprofessionally. Thus, following heavy rains, the ground water and surface water flood the capacity of the sumps and they discharge their contents into a public area (Mušinka 2003).

Wells and simple sewage collection built with the help of development NGOs illustrate another side of the problem, which could be labeled the "tragedy of the commons" in the settlement. Because the well belongs to everybody, it means that it belongs to nobody, and the Roma themselves have often destroyed the wells and sewage channel by throwing garbage into them. There is a sewage system and drainage for surface, rainwater, and wastewater, but inhabitants do not know how to maintain it, and they regularly throw garbage into the channels (partly because there is no waste collection system in the settlement), which makes the system collapse.

The settlement depends on wells as the main source of water. This situation is also common in the non-Romani part of the village. Yet there are individual wells accompanied by pumps and a municipal water system providing water of standard quality and amount. The Roma also regularly take water from the Svinka River. From an interview with a Romani mother of five children (A):

Q: How do you get water for cooking and washing?

A: There is no running water. My kids bring water for washing from the river.

Q: Do you use this water for cooking and do you drink this water?

A: Yes, there are always many people for water from the well; it is sometimes faster from the river.

Q: Do you think this water is good and healthy?

A: After rain we don't take it, it is muddy, kids often have diarrhea... we live here like animals.

The chemical content of the water is problematic both in the well and river. The main problem is nonpoint pollution from farming. In the case of the Svinka River this factor is amplified by the fact that several villages with no sewage treatment are located upstream. According to a local NGO activist:

We took the water last year [2003] to the hygienic station in Prešov. The chemical content of water from the well was within the norm, but the biological was disastrous and the water was not recommended for drinking. In the case of water from the river it was both biologically and chemically far beyond the Slovak and European norms. It is water these people drink every day . . . It is impossible, at least I think it is, to distinguish what the children are often sick from. It could be water, it could be food they eat, especially if it is from the landfill, it could be malnutrition. These Roma mothers are not all the same; some care, some don't.

The water from the stream and from the well is used for cooking and drinking. With the help of Slovak, Dutch, and Canadian foundations, local NGOs built water pipes to support the local kindergarten with water for washing, and one shower was constructed for inhabitants of the shantytown. Nevertheless, this entire infrastructure uses water from the wells pumped into the showers. The pipelines get regularly frozen during the winter. One of the outcomes of this alarming hygienic situation is widespread hepatitis, especially among the children in Svinia. Parasites and intestinal infections are widely reported according to social workers and a local doctor.

Water quality in the Svinka River and wells is problematic in all three settlements. There are several reasons for this. The biggest source of pol-

lution is agriculture. With the beginning of the 1989 economic transformation, cooperative farms decreased their use of industrial fertilizers, partly because they decreased production, partly because the price of this chemical was not subsidized any longer. However, with the new economic conditions and growth in agricultural subsidies (in relation to the EU accession) the trend is again to increase their use.

There is also an increased amount of village sewage and nitrate discharges. In the case of householders' waste, economic straits influence the ability of many people in the villages to pay for septic tank maintenance and transport of this waste to the landfills. The non-Roma upstream do not have to pay for the transport of sewage. The Roma settlements downstream suffer from poor water quality. Since most of the Roma do not have official residence permits they do not pay for garbage collection. The municipality provides containers for the shantytowns and they started irregularly collecting the waste from them. Waste and garbage are often thrown into the sewage channel and spread all around the settlements because the capacity of the containers is limited.

Floods

Floods represent a gradually increasing danger in this region. Understanding this problem and its impact on Roma settlements requires understanding why floods are becoming more frequent and their impacts more significant. The excuse of the hundred-year flood is hardly relevant anymore, because since 1998, when forty-two people died in Jarovnice, problems with the so-called hundred-year floods have been repeating in a faster cycle.⁸¹ The two plausible explanations for this are mismanagement of the water catchment areas and climate change.

All three settlements were regularly flooded in the past. In Hermanovce the Roma shantytown is situated in the lower part of the valley, downstream from the village. This area was known for floods long before the Roma settlement was allowed there. The village partly paved and deepened the riverbed in order to protect itself. None of these preventive measures were taken in the Romani part of the village.

⁸¹ Hundred-year floods, or thousand-year floods are terms used by watershed managers in order to describe exceptional water levels in rivers. They assume that such high water levels do not occur more often than once in a hundred years (or once in a thousand years).

In the floods of 1998 the whole settlement was approximately 1 meter under water. The situation has been repeated several times since then, although the level of the water was lower or the river “just” flowed through the shantytown, leaving mud and dirt in front of the houses. There have been no fatal accidents so far. The most dramatic impact of floods was evident in the late 1990s in Jarovnice. Storms and rains on June 20, 1998, brought on one of the worst floods in Slovak history. The small and peaceful Svinka River turned into a wild force. When the river approaches Jarovnice, it turns in a flat arch toward the left and enters first the shantytown of Jarovnice’s Roma in the valley. In 1998 the river was partly regulated upstream and the water flushed through Renčíšov and Uzovské Pekľany (villages upstream). The first area catching the wave was the shantytown in Jarovnice.

The estimated number of people affected by the flood was 10,850 in seventy-five villages. In the flooding, approximately 25 homes of non-Roma and 140 homes of Roma were affected. About 35 Romani homes were destroyed in Jarovnice and forty-seven people died. The toll of this disaster could easily have been much higher:

There was only one lucky moment in this disaster—the flood came in the early afternoon, when most of the Roma were on the streets and awake. If it had come in the middle of night when most of them slept, then casualties would be hundreds if not a thousand lives. (personal interview with a former forest manager in charge of the area in 1998; January 2005)

The Romani shantytown settlement in Jarovnice is situated in the valley of the Svinka River. Non-Roma live in the houses on the slopes above the valley, which protect them from being as tragically affected by the floods as the Roma are in the low-lying area. The Roma were reluctant to return to the river valley, where the water had destroyed their dwellings. However, as the mayor of the village pointed out after the 1998 floods, the Slovaks in Jarovnice did not want the Roma in close proximity, and so there was nowhere to begin building new dwellings for the Roma left without shelter. “We found a location that would be feasible for the construction of new dwellings, but the land belongs to private persons. It’s their decision, whether construction starts or not,” said the mayor in an 1998 interview with the Slovak daily *Pravda*.⁸² More than a decade later, the situation remained complicated and the municipality needed to in-

⁸² *Pravda* daily, “Názory “ (Opinions), June 30, 1998.

crease its offer for this land to be able to buy it from local owners refusing to sell any land to Roma projects.⁸³

The momentum created by the disaster had been lost and Roma remained in the same place as before the flood. As a precautionary measure, the riverbed was deepened and paved. These actions did not solve the root of the problem, but at least they decreased the level of danger faced by the community. In the 2010 flood “only” around 200 Roma needed to be evacuated.⁸⁴

Perceptions of the majority population as to why Roma live in this endangered zone vary between a lack of understanding of the possibility for Roma to choose their place of settlement to open neglect and racism:

This place [Roma shantytown] is of no good land. I think it always belonged to the municipality; it was wetland, mosquitoes... my grandfather used to go there to wash horses... I don't know why they [Roma] live there. (personal interview with a Jarovnice resident, May 2004)

I would build a fence all around this place; they [Roma] are lost people, you know. It is a waste of time and money to do anything for them. But this place is good enough for them. (personal interview with a Jarovnice resident, August 2004)

The reason for building homes made of wooden boards and stones in the valley is economic. As one young Roma points out: “They [the majority] don't want us here. Where should I go? I have no money. I build my house there [the shantytown] because where else? Our people live there. I cannot go and build it elsewhere, the gadjos would throw me out.” The central government, pressed by the flood's impact on the public opinion, invested into the village infrastructure development, but Roma families still live in the endangered flood zone. However, the houses for the first twenty families from the shantytown were not constructed until 2006, and the vast majority of the people still wait for their chance to move. The social situation of the Roma remains the same, with the exception that the river is now regulated and the riverbed is deeper, which means that the Roma should be better protected against floods. There is minimal effort from the side of the municipality or government to address the situation in the settlement:

⁸³ *Sme* daily, “Jarovnice zaplavila beznádej” (Jarovnice flooded with hopelessness), July 18, 2008, <http://www.sme.sk/c/3981004/jarovnice-zaplavila-beznadej.html>.

⁸⁴ Personal interview with a local forest manager, July 2011.

There is only one street worker in the whole community, which is an extremely low number for a community of this size. There was a church mission center built in Jarovnice, but the local priest was, by the decision of the church, moved to the city of Michalovce and the activities are dying out. It is an example of how this type of work relies on several enthusiastic individuals and is not systematically developed with the support of the government. The role of the state here is substituted by NGOs. (personal interview with a local NGO activist, June 2007)

Many of the Roma houses were built illegally, although taxes on them are often paid to the municipality and the Roma mostly possess residence permits. The place where the Romani settlement stands has been known as a flood zone for decades. Channels for sewage water were built after 1998, but as one of the settlement's inhabitants points out: "What are these channels good for if we don't have running water?"⁸⁵

Regular floods are also a reality in Svinia, although they did not have as bad impacts as in the case of Jarovnice. Disastrous floods in 1998 claimed one victim in Svinia. A little Roma children was drawn. Since then the Roma regularly evacuate their houses and huts during storms and look for safe places in the nearby village or forests. The latest case was in June 2010, when around 500 people from the shantytown were evacuated as a protective measure against the upcoming flood wave.

The first reaction of humanitarian organizations and the Slovak government after the 1998 flood was to provide shelter for people who had lost their houses. Portable cabins or *unimobunkas* were bought (40 in the case of Svinia) as a temporary solution before new houses can be constructed.⁸⁶ In 2011 the *unimobunkas* still served as permanent residences for whole families. Many people live on the riverbank in huts that are made of wood and mud. When it rains, the mud floor changes into a swamp. A Romani female who moved in 2002 from a hut into an apartment recalls: "Every time it rained I found myself in water up to my knees. Then my husband's family moved out and we were lucky to move here [to an apartment]. It is much better here." (Figure 18).

The extent of floods was decreased in the beginning of the 2000s by regulating the river and introducing protective measures (e.g., riverbed deepening, concrete walls). Flood intensity decreased, but they were not

⁸⁵ *Pravda* daily, "Povodeň v Jarovniciach: Päť rokov po tragedii" (The flood in Jarovnice: Five years after the tragedy), July 21, 2003.

⁸⁶ An *Unimobunka* is a wooden box or portable cabin (caravan or trailer) often used by construction workers as a temporary accommodation and later transported to a new construction site. Usually they are around 5 meters long, 4 meters wide and 2.5 meters high.

prevented completely. Flood alerts are here now almost every 2 or 3 years and it is mostly only Roma parts of the villages that are evacuated because of the acute danger.

Figure 18. Inside of the Roma hut in the Upper Svinka



Source: Photo courtesy of Jan Kasz.

The settlements are surrounded by slopes and forests and located on the bank of the river, which limits the space available for the construction of houses and huts. Flood management is addressed with “end-of-the-pipe” mentality. Instead of addressing the problem at its roots, municipalities and the government started to pave water streams with concrete and deepening riverbeds in order to prevent floods in the villages. As a result, they have created a “toboggan” system where the water flows faster in the upper stream and floods the villages downstream. As an interviewed NGO

activist points out (in exaggeration): “It will ultimately require channeling the river all the way to the sea to prevent floods with this approach.”

Environment and Coping Strategies

The social situation in the three settlements further deteriorated after the fierce cuts in social assistance introduced in the beginning of 2004 by the newly appointed reformist government. Although not publicly articulated or admitted, Roma are target of increased strict limitations in their access to social support.

As a result of deteriorating situation, people search for more alternative sources of income or food. Besides illegal harvesting of agricultural products from fields and gardens in the villages and surrounding area, there is the most drastic form of this—landfill “shopping.”⁸⁷ According to the social workers working with the communities, this activity did not take place before the assistance cuts. It represents a further decline in the self-dignity of the Roma in the settlement:

This [landfill shopping] was a very uncommon practice here. Only those on the very bottom of the community were doing this before and they were ostracized. Times have changed and it is becoming “normal.” A couple of weeks ago I threw a box of milk into our trash bin outside because it was evidently spoiled. A few hours later I saw a Roma woman carrying this box and feeding her baby with it. I was deeply emotionally touched—almost crying when I saw this, I was knocked out for a while. (personal interview, May 2004)

Because the local landfill does not provide much opportunity to find food or things to sell, the main target of the local Roma has become landfill in Svinia, where supermarkets from the city of Prešov dump their waste. At the beginning of 2004 a private company and the municipality constructed a landfill approximately 300 meters upstream from the settlement. The place serves for several supermarkets and hypermarkets from Prešov. Roma closely watch the traffic and monitor trucks from Prešov, which bring mostly packaging and biological waste from the stores. It is food past its sell-by date, rotten vegetables, and spoiled dairy products.

There is very limited protection of the site, only one guard on duty and a two-meter high fence. This did not prevent Roma from entering the place and searching the waste for any goods or food they could sell or

⁸⁷ “Landfill shopping” was the term used by several local residents to describe gathering usable waste or goods from landfills.

consume.⁸⁸ Besides food, they often find at the landfills products they can sell or use for their houses. In May 2004 I saw damaged glass and window frames they had found and used for their huts and houses. The landfill became a target also for Roma from Jarovnice, Hermanovce, Chminianske Jakubovany, and other surrounding Roma settlements. However, they are less successful than Roma from Svinia, who know better when the trucks are arriving. The landfill is a “time bomb” and a potential source of epidemics for all the surrounding Roma settlements. In the same time, it is typical example of problematic construction built in the place where the least resistance was expected. Roma in those times had no representative in the municipal council and the decision was taken without participation of the people living in close proximity of the site.

Another profitable activity is metal collection. Roma search the landfill from Monday through Friday (there are no trucks on the weekend). Selling aluminum, copper or brass to nearby scrap metal shops provides additional income. The relatively small distance to Prešov also allows this trade, and firms in the city buy these materials. Roma systematically search the surrounding area, especially abandoned premises and bankrupt firms. These activities are often on the edge of legality (unclear property rights) or they directly violate the law and create conflicts (e.g., when in Svinia, Roma allegedly took and sold metal lids from public sewage channels on the streets). The daily earnings range from €2 to €4 and as much as €100 on good ones. Conversely, activation benefits introduced by the Ministry of Social Affairs and the Family (participants are required to work for the municipality or a non-profit organization four hours a day) bring €63,07 a month. The mayor of Svinia, in cooperation with local NGOs, has considered a plan to build a recycling factory in the village, but this idea so far remains on a theoretical level.

Another widespread activity is illegal harvesting on state and private agricultural lands. It reportedly ended in direct physical conflict and fights between small farmers or gardens owners and the local Roma.

The surrounding environment provides several opportunities for improving the living standards of the deprived Roma community. The most common activity in the summer time is collecting mushrooms and berries, which are used for direct consumption and for trade. The road from Prešov to Poprad is part of the main transport corridor for cargo and tourists between the eastern and western parts of the country. A common pic-

⁸⁸ Part of Roma from Svinia also moves seasonally to main landfill in the city of Prešov and they live there in primitive huts to save time needed for commuting.

ture in summertime is Roma standing on both sides of the road offering mushrooms and berries to the passing by cars. The most popular weekly magazine in Slovakia published in 2006 an article title “Grasshoppers: While Roma from Tatra Region Make Money on Forests, Bears Are Getting Hungry.”⁸⁹ The piece continued with describing terrible conditions of Slovak bears, unable to find enough food for surviving winter because of Roma forest pillages. Unfortunately, this is not an exceptional thing, but rather good illustration how many non-Roma see their fellow citizens. Not more as black tenants on “our” land, or even environmental threat to “our” wildlife.

The most serious tension and source of the environmental conflicts between Roma and their surroundings is perhaps energy. Illegal logging and wood collection is a common activity throughout the year, with the peak in the winter heating season (Figure 19). Wood (cut or gathered illegally) from the nearby forests is needed for cooking and heating in the shanty-towns. Conflicts with forest managers are very common, and there have been several court trials.

Figure 19. Roma collecting wood in the upper Svinka River basin



Source: Photo courtesy of Jan Kasz.

⁸⁹ From *Plus 7 dní*, weekly, no. 31, 2006.

Land, Entitlements and Environmental Justice

As in many other places, Roma are latecomers to the villages. What is even worse, they are poor latecomers of a different ethnic origin. These facts are inevitably reflected in the ownership and/or entitlements over the resources and finally in the distribution of the environmental benefits and harms. Places selected or silently approved for the Roma settlements were those, decided by owners or decision makers possessing entitlements (i.e., non-Roma). Prior to WWII entitlements were based predominantly on the ownership. After 1948 and the nationalization of the private properties, it was again non-Roma from the villages who received extensive rights and entitlements over natural resources. Nationalized properties were managed by municipalities and local cooperative farms. However, even in the proclaimed classless society of state socialism people from Roma shantytowns were excluded from decision making and marginalized.

The beginning of the 1990s meant, in all three villages, privatization of the assets and return of previously sized properties to the original owners. This, together with decentralization, has changed control over the entitlements and the resources, but again only within the community of non-Roma.

Regardless of regimes, virtually no entitlement over natural resources formed part of the social situation of the ethnic minority. Landscape management implemented by non-Roma has had a direct impact on Roma shantytowns. Entitlement over natural resources plays a significant role in landscape management and water distribution. For Roma, its absence means that a large part of the people in villages do not have a word in management of the natural resources and they are overlooked when it comes to the distribution of positive environmental benefits (i.e., access to clean water).

The Roma settlements in Svinia, Hermanovce, and Jarovnice are located in places with perhaps the worst environmental conditions in the villages' territories. In all three cases non-Roma inhabitants occupy healthier and safer places. There are three main areas where we find differentiated access to environmental benefits or unequal exposure to environmental threats:

- **Floods**—There is a permanent danger of floods in the Hermanovce settlement. In the case of Svinia and Jarovnice the threat was partly addressed only after the disastrous flood of 1998 and casualties (almost exclusively among the Roma population).

- Limited access to drinking water and sanitation—Water-borne diseases resulting from appallingly unhygienic conditions (especially in the Svinia and Hermanovce settlements) result to a significant extent from a discriminatory pattern of access to running and drinking water in these settlements. As a result, the Svinka River is used for washing and even drinking, despite the bad water quality.
- Problematic infrastructure—Landfill construction of the supermarkets' landfill in close proximity to the Roma settlements, without involvement of the affected people is almost a "classical" example of the environmental injustice in both distributional and procedural aspects.

The Roma shantytowns in Hermanovce, Jarovnice, and Svinia represent in many ways examples of how exclusion from society, missing entitlements, and the weak social position of the affected people allows discrimination and unequal distribution of environmental benefits and harm. The case studies also illustrate the extremely important role of the relationship between the Roma and non-Roma on the local level. Conflicts over the building of new public housing and discriminatory treatment of the Roma in decision making shows how difficult it is to address different forms of environmental injustice even in the cases where there are resources available.

CHAPTER SIX

A Regional Snapshot Overview

Findings and outcomes of the two case studies described in this book may have represented the very specific situation of the Roma communities in the Rudňany and upper Svinka River Watershed region. However, I was also interested in determining whether the situation there is representative of a broader pattern of environmental discrimination and unequal treatment or whether they represent a specific situation and extreme pattern that deviates from (otherwise) equal environmental conditions of the Roma minority in Slovakia.

To address these questions, regional survey was designed to provide a snapshot overview of the situation of Roma in the eastern part of the Slovak Republic. The main goal was to monitor the situation in thirty randomly selected Roma settlements and provide context, additional input, and feedback for the findings from parallel in-depth research in Rudňany and Upper Svinka. See Figure 20 for location of the settlements included in the sample.

The other aims of the regional approach were to identify new potential forms of unequal treatment and discrimination, as well as to provide additional data for a better understanding of the relations among the ethnic origin, social situation, and environment.

The regional research was conducted using the rapid rural appraisal (RRA) methodology, which builds on qualitative research techniques (Chapter 1). In the course of my research I came across other Roma shantytowns that were not included in this sample. Usually these were additional settlements in close proximity to the randomly selected places (i.e., easy to visit) or I considered them interesting from the standpoint of clarifying certain aspects of the questions I had. This was the case of Letanovce, where latent conflict between the Slovak Paradise National Park and local Roma communities helped me to understand Roma coping

strategies and Roma urban communities in Prešov and Košice, where I focused on the contrast between the living conditions of people in rural shantytowns and those living in relatively prosperous cities.

Figure 20. Geographical distribution of the thirty Roma settlements included in the regional research



RRA settlements: 1. Jánovce; 2. Spišské Vlachy-Dobra Vôľa; 3. Zbudské Dlhé; 4. Uzovské Pekľany; 5. Dvorníky-Včeláre; 6. Humenné-Podskalka; 7. Helcmanovce; 8. Bardejov-Dlhá lúka; 9. Rokytov; 10. Mníšek nad Hnilcom; 11. Zborov; 12. Petrova; 13. Lenártov; 14. Krompachy; 15. Hažín; 16. Trebišov; 17. Spišské Bystré; 18. Medzilaborce-Palota; 19. Nižný Tvarožec; 20. Spišský Hrhov; 21. Chimianske Jakubovany; 22. Makrušovce; 23. Bystrany; 24. Sečovce; 25. Markovce; 26. Bystré; 27. Nižná Jablonka; 28. Snina; 29. Trhovište; 30. Nižná Slaná.

The thirty Roma settlements analyzed in the course of my trip constitute a diverse sample of shantytowns, urban ghettos, and relatively well-off Roma streets in villages.

The smallest communities consist of around ten houses and not more than 100 inhabitants are in Uzovské Pekľany or Dvorníky-Včeláre, while the biggest Roma settlements form urban ghettos are on the periphery of Trebišov and Sečovce, each of them providing space for approximately 1000 people. The only community where I found non-Romani inhabitants

occupying houses in the predominantly Roma ghetto was Krompachy. The class dimension of environmental discrimination is visible in this case, since a non-Romani inhabitant of the settlement is also among the poorest people in this small city.

With this one exception, the dividing line between the Roma settlement and non-Romani inhabitants was always clear and in most cases Roma settlements were separated from the main village either by distance or by physical barrier (e.g., forest, railway, or stream), or by both. I was specifically looking for particular variations in environmental conditions between the settlement and the main village.

Attention was especially paid to the following aspects of environmental conditions in Roma shantytowns vis-à-vis their non-Roma neighbors: (i) housing and exposure to toxic and other waste (or identification of other environmentally problematic facilities); (ii) access to water and sanitation; and (iii) the risk of flooding in the settlements. The first two aspects were identified already in the preparatory stages of my research, while the last one (floods) resulted partly from the field experience in the villages of Jarovnice and Hermanovce. As we have seen in the previous sections of the book, distribution of the environmental benefits and harms is closely related to the settlements' location. One of the questions I focused on in my surveys was therefore land ownership and entitlements – i.e., how do they relate to the exposure to threats.

Exposure to Toxic and Waste

One of the purposes of the regional research was to put the situation of the case study settlements into the context of the broader sample of Roma living environments. In addition to the cases of Rudňany and Svinia, I found comparable examples of a direct link between industrial production and unequal exposure to the emissions also in other places. The first one is the Roma settlement in Krompachy. This place is also home for non-Romani people. However, the non-Roma families occupy only several apartments. Most of the people there are impoverished former workers from the nearby factory.

The settlement is located at the foot of a hill, behind a smelting factory and under its chimneys. The locality is spatially segregated from the town by a road and stream. Four apartment buildings were originally built there. The factory's need for an unskilled workforce attracted Roma from surrounding areas and soon they formed a Roma settlement surrounding the apartment buildings. Non-Romani inhabitants of the apartments gradually left the place

with the exception of several families. Due to the relatively good salaries in the factory and social benefits of the former regime (e.g., subsidies or low-rate loans), Roma built brick houses and the settlement does not consist only of the huts or makeshift shelters typical of other Roma colonies.

Krompachy is the only producer of electrolytic copper in Slovakia, which has been processed in the town since 1937. Because the sources of cuprum are polymetal ores from the surrounding mines, high levels of toxic emissions result from the production process. The factory also processes cuprum from waste metal collection.

The town is one of the most ecologically problematic regions in Slovakia. According to data from the Slovak Academy of Sciences (Kočí et al. 1994), the main sources of toxic emissions are smelting processes for producing polymetal wires and the production of sulfuric acid. Measurements by the Slovak Academy of Sciences (Kočí et al. 1994) of the contamination indicate that the area of Kovohuty Krompachy Company and the surrounding areas are highly polluted by arsenic and lead. Other elements found in high concentrations are zinc and copper. Approximately 18,000 hectares of agricultural land in the area is contaminated by copper in concentrations of 50 mg.kg.⁻¹

Emissions from the factory have had a strong local impact. The hill above the settlement has been especially affected by the air emissions. No site-specific data on contamination levels exist. However, interviews and observational data indicate that the level of contamination is higher in the settlement than in the other parts of the town. There is still heavily damaged vegetation on the slope (and in the settlement) and dust and rain bring the chemicals from the slope down the hill to the settlement.

There were two factors influencing the situation of the people in the settlement. At the beginning of the 1990s, the factory went through a long and complicated process of production transformation, restructuring, and privatization. Downsizing heavily impacted people in the settlement and unemployment is rampant. Conversely, the decrease in production amplified by new, more stringent environmental legislation decreased the level of emissions from the factory. Nevertheless, accumulation of heavy metals and other contaminants in the soil throughout previous decades is a persistent problem. As one of the inhabitants, a middle-aged Roma man pointed out in the interview (July 2005):

It is much better nowadays. It [the slope above the settlement] used to be like moon country, no grass, nothing. The chimney was smoking all day long. It quit a couple of years ago. But also our jobs are gone.

The story of the settlement is similar to that in Rudňany. The Roma as well as other factory employees were satisfied to have jobs and stable incomes. Factories were hiring many unskilled or low qualified workers. Roma were attracted to move into the industrial towns and villages and settle down in areas close to mines and factories. They were not welcomed by other non-Roma and from the very beginning were gradually pushed to the outskirts of the villages.

As the link among pollution, environment, and health was not the center of attention in the era of the centrally planned economy, the factory and the state built the first block of apartments directly under the factory chimneys. This settlement is home to around 400 people, who are often aware of the adverse environmental characteristics of the place, but do not have the money or qualifications to resettle.

The case of the Roma in Trebišov provides an example of another form of environmental impacts on a disadvantaged community. A slaughterhouse and meat-processing factory are located in the Roma neighborhood of the town. The factory is a source of bad odors and solid waste. This solid waste is stored in open containers behind the factory fence and is regularly targeted by Roma looking for food. The meat decays quickly, especially in the summer time, and poses a threat to the people consuming it. Besides the bad smell of the rotten meat, the containers are a source of food for rats and insects. The company management has introduced no protective measures (for instance, repairing the fence or providing closed containers).

The pattern of environmental injustice present in Rudňany, Krompachy, and Trebišov was not confirmed in the other Roma settlements covered in the regional research. However, the sample did not include other industrial hubs of the region. For example, towns with Roma population and extensive chemical, food processing, and other industries (e.g., Strážské, or Košice) and areas of mining in the south (e.g., Rožňava, Revúca) were not part of the survey.

A more widespread form of unequal environmental conditions is household waste management. The parts of villages where Roma settlements are located are often considered by municipalities as areas most appropriate for construction of landfills (e.g., Hermanovce, or the newly built landfill in Svinia). In the case of the Rudňany municipality, people from the main village regularly dispose of household waste in an illegal landfill located (what an accident) just 300 meters below the Pätöracké Roma shantytown.

The crucial problem in this respect is that often the shantytowns themselves do not have proper systems of waste collection and management.

Household waste is practically everywhere in Sečovce. Residents (especially after the several waves of social assistance cuts in the 2000s) cannot afford to pay for waste collection. New legislation on waste collection, waste disposal fees, and recycling has further increased the cost of waste collection and management.⁹⁰ Alternatively, this new regulatory framework might provide opportunities for new jobs in waste separation, especially for people with limited skills and education. We will come back to this controversial point in the last chapter of the book.

Access to Water and Sanitation

Access to water and sanitation is the area where there is a clear discriminatory pattern of unequal treatment. On the micro-level of communities, in only eleven cases (out of 30) of Roma settlements I considered the situation with respect to access to water as equal. The usual situation is that the entire infrastructure (e.g., roads, pipelines) connects to lines in the non-Romani community and Roma are not connected to the pipelines or networks. This situation is due to multiple factors. Roma houses are often illegally built, they have grown significantly in number only in the last decades (after the construction of the pipelines in some cases), or Roma were not able to cofinance their construction. Sometimes the municipality addressed the problem by constructing an additional pipeline with one or two taps for communities of several hundred people (e.g., Hažín or Bystrany) or by drilling one or more wells in the settlement. In extreme cases, there is practically no safe source of water.

In Spišské Bystré, the shantytown is located some two kilometers outside of the village on the slopes of the forest, segregated from the main village and behind the cooperative farm. There is limited access to the water from the well at the cooperative farm. The inhabitants regularly (especially in the summer time) suffer from a lack of water. They go to the cooperative farm to ask for it and then carry it back to the settlement. Or they take water from streams in the forest, which is of doubtful quality, especially after the rain when the streams contain mud and the water is yellow or brown. As one Romani woman described:

⁹⁰ Partly as an outcome of the EU accession process, new Slovak legislation on waste, waste collection, cataloging, and recycling (Act 223/2001 of the National Council of the Slovak Republic) has introduced very progressive measures for encouraging recycling and waste minimization. However, these measures require investment, especially on the part of municipalities and individual households.

We take water from the streams. It is yellow and muddy after the rains usually. I use this water for cooking and drinking. Sometimes I ask for water from the farm [cooperative] and sometimes from “gadjos” in the village. But they pay for the water, they don’t give it to anybody. It is good for cooking, but we have no water for washing. It is difficult in winter. (personal interview, July 21, 2004)

Using water from local surface streams is a common practice in the settlements. This is an extremely dangerous activity given that the Roma shantytowns are mostly located downstream from the main villages and that many villages have no sewage treatment plant. This situation is alarming in settlements like Chminianske Jakubovany or Svinia, where Roma use water contaminated by household sewage and intensive agricultural activities upstream.

The main sources of water in the settlements appraised are wells, whose number depends on the overall social and economic situation in the individual places. The general pattern is that the poorer and more isolated the community, the lower the number of wells. In a few extreme cases one well serves as the only source of water for a whole Roma shantytown (for 122 people in Nižný Tvarožec and for 1,350 people in Markušovce in 2005). There is no treatment of the water prior to use and water quality depends on the overall level of pollution in the area, as well as on the location of the well.

In the ten cases where settlements had equal access to the water, Roma are more likely to encounter difficulties in paying the bill for water consumption. Consequently, public utility water companies increasingly switch off water for whole communities.⁹¹ In the summer of 2004 I witnessed water switch-offs in Zabíjanec, Rudňany, and Trebišov. Because there is only one central water pipe in Zabíjanec and centralized meters for whole blocks of apartments in Trebišov, even those who regularly pay for water are discriminated against.

Exposure to Flood

Extreme poverty, discrimination, social exclusion, or lack of entitlements are among the factors that contribute to the situation in which some of the Roma settlements are built in locations endangered by floods and poorly

⁹¹ Water supply companies operate on a regional basis and are state or municipality owned. However, the companies are trying to turn a profit. There is extensive debate in Slovakia about their privatization, which may further increase pressure on profitability.

protected by technical measures against this type of natural disaster.⁹² This mechanism of vulnerability was described in the case study of Roma settlements in the Upper Svinka Watershed and RRA outcomes reinforce these points.

August 2004 brought extensive floods throughout the region. The Roma Press Agency reported that on August 8 no less than eleven houses were flooded in Markovce and about 200 people had to be evacuated. Here, the Ondava River created a lake of almost three square kilometers. The Beniakov flood of 2006 forced more than 100 people—out of 570 inhabitants—to leave their houses. Practically all of them were of Roma origin. Another flood in the spring of 2010 had similar effect and the map of flooded area is actually almost identical to the previous occurrence. The situation was worse in the poorest end of the settlement, which is inhabited by the local Roma community.

The exposure to floods is more visible in the Roma shantytowns segregated from the main villages. In some cases recent disasters have prompted the authorities to adopt anti-flood measures (this is the case of Uzovské Pekľany, where, after disastrous floods in 1998, the municipality deepened the riverbed). In two other villages included in my research sample—Petrova and Chimianske Jakubovany—municipalities are only starting to consider measures to address this danger.

The general pattern of this environmental discrimination is linked to past discriminatory settlement policies. The Roma were allowed to settle only in places located outside of the main village, on wetlands, or spots known to be high-risk areas for flooding. The limited spatial mobility of the people in shantytowns (resulting from the poor social conditions and lack of any influence on the municipality), combined with protective attitudes of the non-Romani inhabitants of the village, effectively locks them into these places. As one of the inhabitants in Markovce points out in the 2006 interview:

We [Roma] live together here, I don't have money to move somewhere else. At the end they [non-Roma] wouldn't sell me a house in the village even if I had the money to buy one. I would prefer to go out of the village somewhere where work is, but I have no money to move to Czechia or somewhere to England.⁹³

⁹² The term "extreme poverty" in this context means regular lack of basic needs for life such as food or fuel for heating.

⁹³ Beside the traditional Czech Republic as the destination of the Roma migrants, the United Kingdom is becoming increasingly popular. Partly because it opened its job mar-

Practically all the people I interviewed in the regularly flooded shantytowns had resigned themselves to the situation and considered it a regular part of their lives. The situation has worsened due to the trend toward channelizing the riverbeds of streams flowing through villages. This is usually part of the municipal plans for making the village look “nicer” as described by one of the municipal council members in the village Uzovské Pekľany. Climate change and problematic landscape management will further contribute to the exposure to risk.

The Land: Access and Entitlements

Building on the entitlement theory and entitlement analyses developed by Amartya Sen (1981, 1984, 1999) one might conclude that the land distribution is not always a problem of scarcity of resources (i.e., clean areas for settlement), but can also be a problem of who has access and entitlement to use these resources. The key natural resource important for the environmental justice in the given context is land.

As I discussed in the Chapter 2, we may see entitlements as legitimate effective command over certain commodity, that is land for settlement. In other words, those who possess the command decide about distribution of utilities derived from environmental goods and services. It is important to distinguish in this context ownership, control, and access (Bromley 1989; Devereux 2001). Private ownership is part of the legitimated command, but equally important are delegated, traditional and unwritten rules in the control of entitlements over the land. Especially when we analyze places with unknown, scattered owners and land in the possession of the municipality and state.

In theory, state and municipal land and properties belong to all people and should be utilized for the benefit of all. As elected bodies, municipalities should represent the interest of all constituents and distribute entitlements in the way that is beneficial for the whole community. Yet in practice entitlements are subject to political, economic, and social struggles within the communities, and the stronger groups may manipulate the distribution in their favor.

Roma settlements in the environmentally problematic places are largely the outcome of the entitlement over the land distribution. Its allocation and distribution is a dynamic process where history matters and

ket with the Slovak accession to the EU, partly because of multiethnic characteristic of the society and anti-discriminatory policies, Roma feel safe there.

current social processes have great influence. Who can decide about exploitation of natural resources and who is involved in the management of natural assets have strong influences on strengthening or weakening of groups and individuals. The relative strength or weakness of different social and ethnic groups may then be reflected in the way the environmental benefits and harm are distributed.

In my research I therefore particularly looked who is owner of the land where Roma houses are built and what role entitlements played in the allocation of space where people constructed their shantytowns. These questions look relatively simple, yet in reality I faced many problems in data collection and identification. Due to complicated ownership structure and lack of documentation I do not attempt to evaluate ownership of the land in percentage or size; rather I focus on ownership typology as such. Daniel Bromley (1989: 871) identifies four main resource regimes: common property, private property, state property, and open access. There is no open access land as such in the territory surveyed. Building on this framework, three resource regimes are identified:

- *Common property*: land in possession and under the control of municipalities;
- *Private property*: land owned by private legal (e.g., forest association) or physical entities, sometimes by unknown owners;
- *State property*: land in possession of the state and managed by its authorities.

There are two additional factors important for analyses of the situation. First, there is a substantial share of the land, which belongs to unknown owners. This category is a rather specific problem in Slovakia. The land is *de jure* private; *de facto* it does not belong to any identifiable owner. There is around 550,000 hectares of land in Slovakia, which on paper belongs to private owners, yet in reality no one can claim property rights to this land. Mostly due to the post-1945 chaos and ignorance of the problem in the 1950s when collectivization started, it is very difficult to declare the ownership.⁹⁴ In the late 1990s the state started a new register.⁹⁵

Yet, the progress is slow and the constitutional court by its decision from 2006 prohibits transfer of the land of unknown owners to the mu-

⁹⁴ Very often only name of the owner is in the books, without any further identification or data.

⁹⁵ In Slovak: *Register obnovenej evidencie pozemkov*.

nicipalities and to the state.⁹⁶ It is not a small problem. Just in the two counties where I collected data for this study it applies to several hundred thousands of real estates (459,006 unknown owners in Prešovský kraj and 304,815 in Košický kraj respectively).⁹⁷

Secondly, land was historically equally divided among heirs.⁹⁸ Because of the property and heritage laws, the real estates are often very small. The land may be divided among dozens, or even hundreds of small owners, very often with complicated structure of heirs ownership. This makes any selling or buying rather problematic, and many parts of the countryside do have private owners, but these are in practice not interested in the entitlements control and utilization of their properties. Unless there is a commercial opportunity like new road construction or proximity to touristic attractive areas, which makes even small pieces of land financially interesting, private owners have little interest in these properties. As the result, even in the cases where there is known owner of the land under the Roma settlements, it may be small property and owners tolerate the situation, because they do not have alternative usage. In the economic terms we may speak about small (or zero) opportunity cost. In the situation of mixed and unclear ownership of unknown entities, and where known owners are not particularly interested in their properties, it is the role of the municipalities that is becoming central in the control.

The history of the Roma in Slovakia dates back to the medieval times. Scarce records exist on the beginning of some of the settlements. For instance, in 1661 Ružomberok city hall allowed four Roma families to settle down in the territory and produce lime for the city (Jurová 2002b). Throughout the seventeenth and eighteenth centuries, Roma were allowed to inhabit places allocated by the nobility, towns, and villages. Over the centuries pressure to change nomadic life style and tight Roma to a particular location persisted. Since the beginning of the twentieth century and especially following World War II, municipalities have assumed a growing role in the selection of places for the Roma settlements.

Some settlements I studied were built a long time ago, some during the former totalitarian regime. Practically all of them have been growing in

⁹⁶ Due to commercial potential, there was a substantial lobby trying to shift this ownership as a tool for future utilization of the land and its privatization.

⁹⁷ As in August 2006.

⁹⁸ In the Austro-Hungarian Empire and its Hungarian part all heirs get equal share; this was different comparing to the Austrian part of the empire, where agricultural land was usually inherited by the oldest heir.

size in the past decades and especially after the political changes in the 1990s. Although regimes were changing and the governance system has been going through rather different stages, there are similarities and deeper mechanisms in the land ownership entitlement control.

In most of the cases non-Roma inhabitants of the villages possessed and posses crucial role in the selection of places for the Roma settlements. They were historically tolerated by owners and by those who control entitlements (e.g., municipalities) at the places of low commercial interest and usually distant from the main village.

Centrally planned socialism brought new dynamic and new trends in settlement location. In the 1950s all Roma were forced to settle down. Real estates were nationalised, entitlements were under the control of the ruling party and it was the role of appointed local councils to govern. The councils usually tried to balance general directives of the party and interests of the local people (i.e., non-Roma) using the control of entitlement over the nationalised land in the possession of the state.

Beginning of the social and economic transformation in the 1990s meant the latest milestone. Traditional larger-size families, together with the collapse of the centrally planned socialism and economic and social transformation, brought about a significant increase in the numbers of people living in the settlements. Roma, who lived in various dormitories and houses for workers, either lost their ability to pay bills, were simply thrown out as soon as their employment contract terminated, or their dwellings were sold to private owners. Then they had no choice but to return to the shantytowns. Roma houses are sometimes legal, but they are often illegal or do not comply with the building code and other relevant legislation.

Transformation also brought back the central role of private ownership of agricultural land and forests. Municipal councils and mayors are now directly elected, but changes in the entitlement control have only very recently become visible (as we discuss later in this book). Regardless of the regimes, from the very beginning of the settlements' history we see here a strong role of the non-Roma (i.e., entitlements owners and controllers) in the allocation of places.

For each Roma settlement analyzed here, I list forms of land ownership. In most cases there is a mixture of private properties owned by Roma, non-Roma, municipalities, or belonging to unknown owners.

Table 6. Land ownership in the Roma settlements

	Roma	Unknown	Municipality	non-Roma	Forest association	State property
Jánovce						
Spišské Vlachy						
Zbudské Dlhé						
Uzovské Pekľany						
Dvorníky–Včeláre						
Humenné–Podskalka						
Helcmanovce						
Bardejov–Dlhá lúka						
Rokyto						
Mníšek nad Hnilcom						
Zborov						
Petrová						
Lenártov						
Krompachy						
Hažín						
Trebišov						
Spišské Bystré						
Medzilaborce – Palota						
Nižný Tvarožec						
Spišský Hrhov						
Chminianske Jakubovany						
Markušovce						
Bystrany						
Sečovce						
Markovce						
Bystré						
Nižná Jablonka						
Snina						
Trhovište						
Nižná Sianá						

Notes: Forest Association (Urbariat) is a form of collectively managed forest belonging to smaller private owners.

Table 6 summarizes types of different land ownership in Roma dwellings. The situation is often rather complicated. It nevertheless provides a very interesting picture of the ownership landscape, where state ownership plays a marginal role (only in the case of Petrova part of the land is owned by the State and its Property Fund). In twelve cases Roma do not have any property rights; and in eighteen cases they own at least part of the land in their settlements. There are 4 cases, where it is only Roma own the land where they built their settlements—Spišské Vlachy, Bystré, Helcmanovce, Nižná Jablonka. A typical pattern is that houses built on Roma-owned land⁹⁹ were later supplemented by a growing number of shelters as the communities grew in number. Those are located on the land in close proximity to legally owned properties with various types of ownership. Others,

⁹⁹ Either bought by Roma, or transferred to them by local municipalities. The later approach is sometimes evoked by effort to get rid of the responsibility for the area by the local councils.

like those in Hažín, Nižná Slaná, and Jánovce are built on the land of private, non-Roma owners.

Bardejov-Dlhá lúka and Rokytov are places entirely owned by the municipality. Land in the settlement in Uzovské Pekľany and Spišské Bystré is owned by forest association and in Nižný Tvarožec it belongs to unknown owners. Overall, structure of the ownerships points to the very important role municipalities and non-Roma owners have in the land distribution and allocation of entitlements for settlements. It also points out the central role of municipalities in the process, for example in the entitlements over the land of the unknown owners, or acting as the mediator between interests of the private owners and Roma communities.

The research experience thus confirms, that we need to go beyond the original formulation of entitlements built on legal ownership by individuals of alienable commodities. Weaker claims over resources, such as access and usufruct rights, as well as situations of uninterested or unknown owners strengthen the role of those who (through formal or informal authority) possess decision making power. It indicates that we need more sophisticated understanding of entitlements, particularly in its relationship to other concepts and its applications in context. Last but not least, we need an active role of external agencies (i.e., especially the state) in promoting entitlements of the marginalized people and groups and in securing non-discriminatory practice.

Entitlements, and entitlement-based control of resources, is a dynamic process. The question arising is, how will the ongoing development influence distribution of the environmental benefits and risks—i.e., environmental justice? There are several social and economic trends that are weakening, or strengthening the Roma position. I describe them at other sections of this book. Two additional and important for the entitlements distribution and control are changes in ownership and empowerment of the Roma minority through local elections.

Patterns of land ownership and concentration of property rights is an important factor contributing to polarization. Development reality of the past two decades of reforms is, at the nation-state and local scale, strongly influenced by the neo-classical (or popularly labeled neo-liberal) development paradigm. This is adopted at the central level and promoted by business, main think tanks, public intellectuals and the media. It is a paradigm of privatization, deregulation and transference of part of the control of the economy from the public to the private sector, reducing social welfare spending and where possible shifting welfare from public to private projects.

Accepting this paradigm has led to several factors impacting vulnerability (in one way or another) of the marginalised people. The very first is privatisation of state and municipal assets. Selling land, enterprises or services has been a vital source of income. Transformation of the agricultural sector from the cooperative and state owned farms to private farms has gradually led to selling of the land to private owners and ownership concentration.

A side effect of this privatisation and transfer of ownership from public to private entities has been ownership concentration and stronger property rights regimes. The shift gradually enhances entitlements-based ownership and leads to improved law enforcement as the new owners have more power and interests to control their properties. It is important especially when location of semi-legal or illegal settlements crosses with upcoming economic opportunities. It is very likely, that we will see more and more forced evictions and resettlement of people to places where entitlements control is weaker (e.g., environmentally problematic spots).

It is important to see all these trends in the framework of growing economic and social disparities and mainstream public discourse in the society. Problems of the poor or marginalised are increasingly framed as personal, rather than systemic failure, where structural causes are neglected. There are long lasting and historical prejudices against the Roma, but the past 20 years of the transformation has enhanced them significantly. Entitlements are used as tools for further segregation of the Roma communities and for moving them out of the space inhabited by the non-Roma. There is pressure to re-allocate Roma to new places which is often accompanied by deepening segregation and potential for increasing inequalities in the access to environmental benefits and/or exposure to environmental risks.

At the same time we see counter-movement and new dynamics in the entitlements distribution and control. The role of the state and external agencies and political mobilization of the Roma ethnic minority are enabling factors. The development policies of the European Union (EU) provide rather limited support to counter-balance negative consequences of the development by promoting economic and social cohesion goals. Yet without the EU effect it is difficult to imagine that there would be any cohesion policy at all in the country, or in the region. Besides pressure, EU membership brings with it significant financial means for adopting and, especially, implementing European policy goals. Two of them are particularly important: the concept of decentralization (based on the EU subsidiary principle), and the economic and social cohesion policies. The

former led to rapid decentralization, and the later to an increase of economic transfers to the marginalized regions from the EU together with national budgets (co-financing).

Decentralization, promoted by the different stakeholders (i.e., the EU, national governments, or NGOs) as the concept of deregulation and public accountability and transparency, so far shows mixed impacts on entitlements control. A combination of privatization, capital accumulation and local elites empowerment vis-à-vis more opportunities surfacing from the decentralization, may lead to increasing pressures for replacement and segregation of the marginalized communities. This occurs especially in cases where local democratic participation mechanisms are not respected, or are applied in a very “formalist” way, resulting in a new choreography of elite power (Swyngedouw et al. 2002). Or as Lane (2003: 283) puts it, in theoretical terms, calls for decentralization of many areas of state responsibility, and demands for an enhanced role for civic actors, particularly in the area of environmental management, fail to acknowledge the potential for powerful civic actors to subvert, rather than promote, democratic processes and outcomes.

It is exactly because of these dangers that the state and different agencies must actively step in. Although, there is a tendency of those subjected to harm having little history of civic and political participation, we are seeing new trends. The most significant is perhaps the re-shaping of meaning and possibilities of decentralization. Despite described potential adverse effects on the entitlements distribution, it also provides new opportunities. Decentralization is a strong policy and institutional framework within which the Roma ethnic minority can unite, participate in the local elections, and change the *status quo*. In the 1998 municipal elections 254 Roma candidates registered for local elections and out of them 56 were elected to councils. In the same elections 6 Roma mayoral candidates succeeded. In the latest 2010 election there were 330 Roma elected to municipal councils and 29 successful Roma mayors. Still only a fraction of approximately 320,000 Roma who live in Slovakia in 1,575 integrated and segregated settlements, but also sigh of progress.

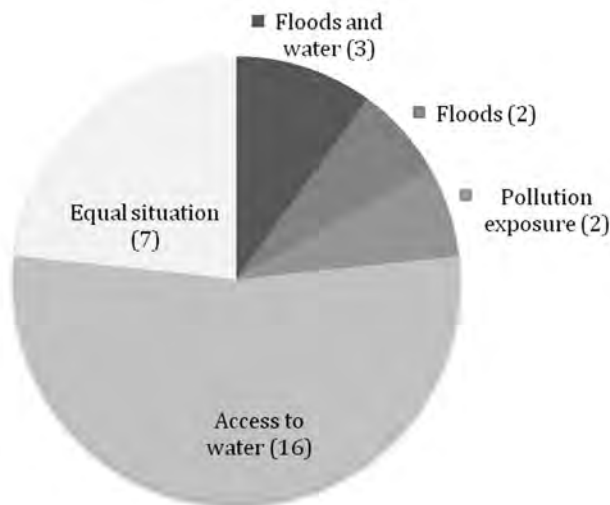
Risks and the People

General trends of discrimination against the Roma in terms of access to job markets, unemployment, or segregated education is present in all of the Roma settlements I analyzed. Not surprisingly, access to the environmental resources and exposure to the adverse effects from the environ-

mental change and pollution are not an exemption. Documented cases of the unequal environmental conditions in the settlements thus open many questions for discussion.

There are indications that in some of the settlements included in the RRA there are positive trends presented and the majority-minority relations have a progressive development. For instance, a case like Hrhov presents a positive example of Roma and an ethnic majority community living in relatively comparable conditions. The Roma houses are in good condition, located in the corner of the village, and there is no spatial segregation, with the exception that most Roma live together on one street. The municipality built a community center and Roma participate in the life of the village. This and other similar cases would deserve deeper in-depth studies for better understanding why the difference. Because, as revealed by the survey, this is not the prevailing picture of the Roma shantytowns in the region. Out of the sample of thirty settlements, I would describe only seven of the Roma places as equally positioned in terms of access to water and exposure to environmental harm (i.e., industrial pollution and floods). Results of the regional study are summarized in Figure 21.

Figure 21. Comparative evaluation—higher exposure to risk or worse access to environmental resources in the Roma settlements compared to their non-Roma neighbourhood (30 appraised settlements).



The most striking situation is in access to water. As many as nineteen Roma settlements are in worse condition than non-Roma equivalents in the same village. Either the public water supply supports only the non-Romani parts of the village or the Roma shantytowns depend on one or several wells with questionable water quality. In three cases this unequal treatment is also accompanied by higher susceptibility to floods. In two cases access to water is relatively equal, but the Roma in the settlements face other environmental threats such as industrial pollution (Krompachy or Trebišov).

Taking into account the general situation of the Roma in the sample of thirty communities (including the size of the community, social and economic conditions, and scope and potential impacts of environmental threats) I consider the situations in Krompachy and in Chimianske Jakubovany to be the most critical and requiring immediate response from all stakeholders. Permanent exposure to toxic residues from industrial production (Krompachy) and more than thousand people, mostly children, in Chimianske Jakubovany living in mud on wetlands represent the sharpest illustration of unequal treatment, discrimination, and indifference.

CHAPTER SEVEN

Patterns of Environmental (In)justice

Preceding chapters provided illustration of the situation in particular settlements, evidence of differentiated exposure to the environmental risks, and unequal access to environmental goods. This chapter attempts to conceptualize outcomes of the research about environmental justice in Slovakia.

The cases of local disparities and unequal treatment identified and analyzed confirm my initial hypotheses formulated in the beginning of this endeavor: If we look at social and ethnic characteristics of the people impacted by the unequal exposure to environmental harm (or possessing limited access to environmental benefits) in more detail, we find that there are significant differences between the non-Roma majority and the Roma population. Poverty and ethnicity play a significant role, and Roma in the eastern regions of Slovakia are the group where social and economic inequalities transformed into the inequalities in distribution of environmental benefits and harm. Four main patterns of the inequalities were identified.

Patterns of environmental injustice are defined here as specific, representative types of interactions between humans and the environment, where environmental benefits and harm are unequally distributed. They are used for the description of the interactions leading to environmental injustice and for analyses of the dynamics behind them. Construction of the patterns helps to understand the dynamics of the social processes contributing to their origin and serves for better analyses of opportunities offered by development policies (focusing especially on environmental management) to reduce vulnerability of the affected people to environmental injustice and improve their well-being.

The four patterns of the unequal distribution of environmental benefits and harm are: exposure to hazardous waste and chemicals (settlements at contaminated sites); vulnerability to floods; differentiated access to pota-

ble water; and discriminatory waste management practices. Although the four patterns I describe might not represent all potential forms of environmental injustice, they (to my best understanding) well summarize patterns identified in my field research. The results confirm that the conditions identified in the case studies do not represent an extreme case of atypical local conditions, but rather they represent patterns of environmental injustice that can also be found in other places.

The scope and impact of the unequal distribution of environmental benefits and harm differ from settlement to settlement. It is a different impact if 400 people from Bystre do not have potable water compared to Jarovnice, where more than 4,000 people have unequal access to it. It is difficult to compare, without detailed long-term measurement and monitoring, if there is a bigger threat to human health in Zabíjanec or in Pätöracké. Nevertheless, the patterns help us to understand the forms and potential impacts of environmental injustice. Their presence in the case studies research and regional survey was as follows:

- Exposure to hazardous waste and chemicals: The case of Rudňany is very similar to that in the settlement of Krompachy, and confirms links among poverty, ethnic origin, and the location of settlements on derelict industrial sites.
- Vulnerability to floods: The three villages, Jarovnice, Hermanovce, and Svinia (case study Upper Svinka Watershed) exposed to floods in the past are not the only case of environmental injustice; Petrova, Cminianske Jakubovany, and Markovce support the hypothesis that Roma settlements are often located in vulnerable environmental situations.
- Limited access to potable water: The most widespread form of discrimination against people in shantytowns. The situation in Svinia (the Upper Svinka Watershed case study) is very typical for many Roma settlements in Eastern Slovakia. Out of the random sample of thirty settlements, I found unequal access in nineteen Roma shantytowns.
- Discriminatory waste management practices: Trebišov and Svinia provide examples of unequal treatment of the Roma communities in waste management.

The first two patterns relate to environmental conditions in places designated or chosen for Roma shantytowns prior to the settlement itself. The latter two relate to practices in municipalities with already settled Roma

communities. As already mentioned, the most widespread pattern of unequal treatment is access to water and sanitation, with pipelines ending before they reach a Roma shantytown. One or several insufficient wells with low-quality drinking water for several hundred people in these places is rather common picture. Areas regularly flooded in the past were often designated by local municipalities as land for the construction of shantytowns and the increasing occurrence of floods (due to mismanagement of the landscape and/or climate change) expose these people to a higher risk of property and health damages. Roma shantytowns on the derelict factory sites in Rudňany or under the chimney of the copper wire producer in Krompachy provide quintessential examples of environmental injustice when it comes to the distribution of environmental benefits and harm. Let's have a more detailed look at each of the patterns and how we may interpret their origin and potential impacts.

Pattern 1: Exposure to Hazardous Waste and Chemicals

This pattern describes contaminated sites where vulnerable human-environment systems exist and where Roma shantytowns are located (e.g., in Rudňany or Krompachy). Contaminated sites are a legacy of past industrial and economic development. In Slovakia this pattern is closely related to the post-war industrialization and a heritage of the production and consumption patterns that continue to affect generations. Careless use of chemicals, wasteful technologies, improper waste disposal and mismanagement, together with a lack of responsibility and accountability, have resulted in contaminated areas and polluted land, water and air, and present a risk to the environment and people.

Companies and enterprises left behind hazardous materials. Over the years the supporting infrastructure has deteriorated, mining waste or deposits in soil released chemical substances into the water and air, mines filled by ground water started to leak, and buildings fell due to subsiding caused by past mining underground. Remediation is an externality, which was not internalized in the operational costs when the sites were profitable. Nor it played stronger role in the process of the enterprise privatization. Transformation and privatization of the economy that started some 20 years ago created legal turmoil and in many cases assets of the companies were grabbed, ownership went through several stages of selling-buying, eventually leading to bankruptcy and unclear liability for the environmental burden associated with the properties. Remediation costs are mostly imposed on the state budget claiming no

resources and money for this costly work, or on people from surrounding areas exposed to health risks and a deteriorating environment.

Contamination of air, water, and land influences vegetation and agriculture, it decreases land productivity and makes agricultural products unsuitable for markets. Degradation of groundwater and drinking water sources may push people to collect water from distant sources. Contaminated land, and polluted water and air mean endangered health for the people in various forms, from allergies to cancer depending on the chemicals. Children and women are especially endangered because they are less able to cope with the toxicity or spend most of their time at home. The sites are places of physical danger. There are risks of injuries (e.g., falling into shafts, landslides) in cases where poverty leads people to collect materials from abandoned sites or where there is direct contact with the contaminated materials.

Poverty and pressure from the majority population brings people to the contaminated sites and poverty keeps them there. Besides the direct health impact, the environmental burden disproportionately imposed on the people has implications for their social situation and limits their range of opportunities. It imposes additional costs on them. Structural pressures that contribute to the differentiated exposure to environmental threats are summarized in Figure 22.

The structural economic, social, and environmental pressures contribute to the vicious circle of deteriorating conditions in the shantytowns exposed to pollution from contaminated sites. People have to protect themselves against the environmental conditions. They suffer health problems that diminish their opportunities for social or geographic mobility. Houses they possess cannot be sold because as the contamination or information about the problem spreads, properties lose value. This can attract more poor people, while those who have a chance leave. It may also lead to a deepening of social anomie in shantytowns.¹⁰⁰ Contamination brings collapse of agriculture, tourism, and other industries. People become “locked” into their places.

A key problem in addressing the environmental conditions of people affected by contaminated sites is addressing their social situation and racial discrimination. It is poverty, lack of employment opportunities, and racial discrimination that bring people to settle in their proximity. Policies and measures for poverty alleviation and strategies for social integration of the marginalized groups are the basic policy options for moving them out.

¹⁰⁰ Anomie—a concept developed by Emile Durkheim to describe an absence of clear societal norms and values. Individuals lack a sense of social regulation: people feel unguided in the choices they have to make (<http://bitbucket.icaap.org/dict.pl?alpha=A>).

Pattern 2: Vulnerability to Floods

This pattern focuses on vulnerability to floods in settlements built in regularly flooded zones. Environmental injustice here means that many of the places allocated for Roma shantytowns in the past were known for high vulnerability to floods. People have managed to confront the hazard throughout history mainly by finding suitable places for settlement. Over years of observations and practical experience, areas that are regularly flooded were well known to the village inhabitants. These places were not selected for construction of houses or other infrastructure. They were usually left abandoned, used as grassland, or (as in our case) allocated to poor newcomers.

During the nineteenth and twentieth centuries, large parts of the river courses have been artificially changed, as have the conditions in their catchments. Land cultivation, extensive farming, clear cutting and irrigation projects (the one taking place in the 1950s in the Eastern Slovakia Basin is probably one of the biggest in the country) significantly changed water run-off. The mismanagement of water catchment areas reduced the natural absorptive capacity of the land and causes wide-ranging erosion resulting in flash floods, especially on foothills. In the Slovak Republic construction of water dams culminated in the 1950s and 1960s as part of socialist industrialization. Besides the construction of dams, it included changes to hydrological cycles and dewatering of Slovak basins. At the same time, agriculture went through the process of collectivization. Former small fields and pastures managed by family farms were changed into mass-production agricultural cooperative farms. This mass-production introduced new techniques of landscape management (e.g., area dewatering, irrigation channels, wetland draining) with strong impacts on the land's absorption capacity. Deforestation and monocultures of newly planted forests contributed to decreased retention capacity as well. These changes also meant variations in flood occurrence and intensity.

Another factor important in this respect is climate change. An increased global temperature would also lead to an accelerated hydrological cycle and likely result in severe droughts and flooding in areas that are now productive farming regions (Rosa 2001). One of the discussed aspects of climate change in Slovakia has been the increased occurrence of floods (Lapin et al. 2000; MoE SR 2006). To what extent floods are an outcome of climate change or other human contributing activities would require intensive and complex scientific research. In any case, it will be people living in the flood zones who will experience the impacts. Accord-

ing to Nyshioka (1999): “While too much emphasis is put on the global aspects of climate change, local concern and people’s initiative as residents in local environment are not fairly dealt with, in spite of the fact that the actual impacts of climate change appear locally and those who respond to the impacts are the people who live there.”

Policies of the central and local government are to address floods through technical measures (e.g., diverting the streams in pipelines, channelling the riverbeds and building artificial banks for the rivers).¹⁰¹ As a result, water flows through the country on the upper streams much faster, overflowing the riverbanks at the first opportunity downstream. Thus, artificial protective measures located upstream might impact villages downstream and especially those who are already living in the zones most prone to flooding.

Predictions are that in the future Slovakia might expect more frequent and more intensive floods. Many geographic areas of the country have been exposed to this risk in the past and in the present. However, not all people are equally vulnerable. Mustafa (1998) interprets vulnerability as the powerlessness of individuals, groups, and classes to influence decisions that determine their exposure to the hazard. Marginalized groups, unable to choose a good place for settlement thus might find themselves unequally exposed to floods.

Floods in Eastern Slovakia in 1998, 2006, and in the spring of 2010 had effects on villages with Roma minorities. In Beniakov, Svedlar, or Olejniky it was mostly Roma who were impacted by the 2006 disaster and whose houses were flooded. In Beniakov, with 570 inhabitants, it was only 100 people from the local Roma shantytown who needed to be evacuated.¹⁰² Increasing occurrence and intensity of floods due to the cumulative effects of human activities makes the problem of places that were allocated for Roma settlements more visible.

Pattern 3: Differentiated Access to Potable Water

Clean and safe water can be characterized as a basic condition for human well-being. General Assembly of the UN by its Resolution adopted on

¹⁰¹ See, for instance, the proposal of the new Act on Flood Protection elaborated by the Slovak Ministry of Environment in 2004, or the Ministry’s 2004 proposal of The Anti-flood Programme Until 2010 in the Slovak Republic, <http://www.enviro.gov.sk/>.

¹⁰² Roma Press Agency, “Zaplavení Rómovia z Beniakoviec začali upratovať svoje domy” (Flooded Roma from Beniakov start to clean their houses), June 6, 2006, www.rpa.sk.

July 28, 2010 even recognized access to clean water, sanitation as basic human right.¹⁰³ If some of the people have worse access than others to this natural resource due to missing infrastructure, exclusion from construction projects, or being cut off from the water supply then we can characterize the situation as environmental injustice. It is a situation where there is enough potable water, but through various barriers there is not enough potable water for everybody.

Lack of access has multiple impacts and further decreases development alternatives of marginalized communities. People who do not have access to clean water suffer an increased incidence of a range of gastro-intestinal and skin diseases. Infant mortality tends to be much higher and life expectancy is much lower.

The Eastern Slovakia region falls below the Slovak average in most of the numbers related to access to public water supply systems. However, when the situation is analyzed on the community level (as described in the case studies and regional survey), it becomes apparent that Roma shantytowns are in comparatively worse situations in access to water than non-Roma people living in the villages. This differentiated access is the most widespread pattern of environmental injustice identified in this research.

Pipelines ending on the border of non-Roma parts of villages as well as Roma collecting water from streams or several wells serving hundreds of people are rather common pictures. Most public water supplies were built with support from the state budget during the socialism regime or have been constructed after the political changes—especially in the framework of the EU social and economic cohesion policies. In all cases it requires cofinancing from the users. Roma settlements are often illegal or do not comply with the building code and other relevant legislation. The people do not have money to pay for the construction and they are not lucrative consumers for water-supply companies.

The EU and governmental funds allocated for construction of water infrastructure (as a part of compliance with EU legislation) are the most important sources of investment for the Roma shantytowns' water supply. Connection to a water supply is a positive factor, but if the people in Roma communities stay in their critical social situation, it might turn out to be a rather problematic investment. When visiting the Roma settlement of Pätoracké in August 2004, I found the whole community cut off from

¹⁰³ More information on the resolution available at web page: <http://www.un.org/News/Press/docs/2010/ga10967.doc.htm> (10. 9. 2010). Curiously enough, Slovakia abstained from the resolution support.

the supply because most of the families were not able to pay for the water. Another example was published in the Slovak daily *SME* in April 2005:¹⁰⁴

Approximately 5,400 people, out of them 2,800 children, have been without water for cleaning, washing and cooking for more than a week. They neither live in a war zone nor are they affected by a natural disaster. They were cut off because out of 800 families living in 666 apartments in Lunik IX [a quarter in Košice city inhabited by Roma] only 22 tenants regularly pay water fees.

Until 2008 the East Slovakia water company invested more than 1 billion EUR into the construction of new water pipelines in the Eastern Slovakia Basin. Reportedly the area is one of the worst ground water contaminated by the nitrates from extensive agriculture. Only around 20% of people (we are taking here generally about inhabitants of villages, not shantytowns specifically) who now have the opportunity to connect to the water pipelines did so.¹⁰⁵ This example illustrates, that price of the water already matters also for relative better-off non-Roma.

It means, that on the one hand, there is extensive need to build new water pipelines and it is also one of the priorities of the governmental public policies. On the other hand, even if the pipelines are built, there is crucial question of the water affordability, when we make water into commercial product increasingly operated for private profit. Technical access to infrastructure is one thing; the real possibility of enjoying this is another.

Roma in shantytowns face technical and economic barriers in access to potable water. While the technological barriers are more connected to discrimination on the local level (e.g., exclusion from community projects, weaker negotiation positions and networks in the decision making on infrastructure construction), the economic barriers are deeper and involve structural problems of poverty vis-à-vis growing prices of all basic utilities.

Pattern 4: Discriminatory Waste Management Practice

This pattern describes discriminatory systems of waste collection and disposal and how the impacts from waste management practices are dis-

¹⁰⁴ *SME daily*, “Havária ako trvalý stav” (Accident as a permanent situation), April 25, 2005, www.sme.sk/clanok.asp?cl=2023999.

¹⁰⁵ *Pravda Daily*, 29. 4. 2008. “Zemplinčania veria viac studni ako vodovodu” Interview with Director General of the East Slovakia Water Company.

tributed in communities with Roma shantytowns. Waste management has become one of the most important challenges for many municipalities. A growing amount of waste and resistance from people against construction of new landfills in the proximity to their dwellings (the “not in my backyard” syndrome) contribute to a situation where the burden of waste management may become discriminatory and disproportionably imposed on social and ethnic groups with weaker negotiation positions, access to decision making, and weaker networks protecting their interests.

A few times a year the Rudňany municipal council organizes a “cleaning Saturday.” Containers are placed at several locations in the village and inhabitants get rid of various waste and trash they collected throughout the year free of charge. After the event, trucks empty the container and drive the waste to the place beneath the Roma settlement in Pātoracké, where they dump it in the field. The Roma of Hermanovce and Svinia living in segregated parts of the villages live in close proximity to recently built landfills. When the responsible municipality’s councils took decisions on the location of the village municipal landfill (Hermanovce) in the 1980s and a new landfill for local supermarkets (Svinia) in 2002, they located them in the parts of the villages inhabited by Roma. Weakly protected landfills subsequently attract the most impoverished people to search there for alternative sources of income and food.

The Patterns and the Impacts

I identify two broad areas with complicated and interlinked impacts of the environmental justice patterns. The first is the direct financial impact on the ethnic group and its individual members. Here belong the monetary costs affiliated with environmental injustice. These are costs, that may be with various degree of uncertainty estimated in terms of money paid for dealing with impacts and outcomes or for protective measures. Among the most important we may list health care, losses in property values, cost of prevention and/or reparation. The second is the non-monetary impact in the form of life quality, poor health, opportunity costs, or decreased social mobility. These are difficult to estimate. In both cases, the impact of environmental injustice is that it further deteriorates the already problematic social situation in Roma shantytowns. It imposes additional burdens on these communities and disadvantages them vis-à-vis communities not affected by the environmental impacts (see Table 7).

Table 7. Monetary and non-monetary costs of the environmental burden

Monetary	Non-monetary
▶ Health-care cost ▶ Property value (losses) ▶ Cost of protective/preventive measures ▶ Reconstruction cost and material	▶ Impacts on health ▶ Opportunity cost ▶ Social and geographic mobility ▶ Environmental stress ▶ Personal dignity ▶ Quality of life

The most adverse impact of the environmental and social situation in the segregated Roma settlements is perhaps the impact on health. Overcrowding, lack of sanitation and water, poorly maintained housing and environmental conditions render their inhabitants more susceptible to infectious diseases than other groups. Unequal exposure to environmental threats and problematic access to environmental benefits are accelerating factors in the affected communities.

Malnutrition, poverty and resulting lifestyles, poor water and exposure to environmental harm make the lives of Roma short. The average life expectancy in Slovakia is sixty-seven for men and seventy-four for women; fifty-five and sixty for Romani men and women, respectively (Kalibová 1989; WB 2003a). In Rudňany, where Roma represent 38 per cent of the population, in 2003 there were as many as 354 people older than sixty-one years, of which only fifteen were Roma.

According to Šaško (2003), “life in Roma [rural] settlements without quality drinking water, built sewage systems or septic tanks for waste water and piling and quickly decaying communal waste brings high health risk to the inhabitants.” This is the daily reality in Svinia, Chminianske Jakubovany, and many other settlements in the research sample. As a social worker in Hermanovce points out in interview (September 2003), “diarrhea is quite common in the summer, especially among the children. Last summer [2003] we witnessed some kind of allergy among the children who played all day long in the water during the heat in the summer.” Exposure to toxic waste has long-term effects visible only in a longer time period. This is the case of Rudňany and Krompachy. The health impacts of environmental injustice are the most difficult to estimate and measure, while at the same time they represent the worst outcome of the unequal distribution of environmental benefits and harm.

In settlements like Hermanovce or Svinia, environmental conditions (i.e., poor quality water and lack of sanitation) contribute to the higher occurrence of water-borne diseases. The diseases must be cured and

treatment requires a financial contribution from the patients. It also influences the quality of life, attendance of children at school (with a long-term impact on their future), and the ability of people to work.

Besides health-care costs, regular floods impose another financial burden on the people affected. Roma settlements located in flood zones (e.g., Chminianske Jakubovany or Markovce) are regularly under the water, which means additional costs for reconstruction and materials. Compared to the non-Roma, Romani houses are rarely insured for a number of reasons. First, insurance companies are increasingly careful to avoid insuring houses in flood zones.¹⁰⁶ Second, it is necessary to have a legal status for the house in order to be able to insure it. Third, most Roma in the shantytowns could hardly afford to pay insurance fees.

Supplying water in the cases like the Roma shantytown Spišské Bystré requires substantial effort, time, and energy. Romani women and children have to carry water from nearby wells on the cooperative farm or from the neighborhood.¹⁰⁷ The distance is around one kilometer. Thus cooking and washing in the Roma community are hard jobs and involve substantial amounts of labor. Creation of basic living conditions (e.g., water for cooking) or reconstruction of houses after floods consumes time and energy that could be used for other activities. This refers to the opportunity cost of these activities.¹⁰⁸

The term social mobility refers to the movement of individuals and groups among different socioeconomic positions (up or down the socioeconomic scale). Lateral mobility refers to geographical movement (freedom to choose a place to live).¹⁰⁹ Environmental injustice contributes to decreased mobility in both cases. In the case of social mobility, an environmental burden negatively influences the opportunity to ascend the socioeconomic scale. Affiliated economic and social costs limit opportunities of the Roma. In combination with other social and economic factors these in practice push the Roma further down the scale.

¹⁰⁶ According to a personal interview with the representative of one of the biggest Slovak insurance companies, the increased number of floods has changed their policies since the mid-1990s and they now rely on statistical data and on-site visits before insuring new houses.

¹⁰⁷ Household labor among Roma is traditionally reserved for women and children.

¹⁰⁸ According to the *Concise Encyclopedia of Economics*, when economists refer to the opportunity cost of a resource they mean the value of the next highest-valued alternative use of that resource. See <http://www.econlib.org/library/Enc/OpportunityCost.html>.

¹⁰⁹ See Giddens (1993) or Albrow (1999) for more details.

Geographical mobility of Roma from shantytowns included in my surveys is rather limited and has been decreasing constantly since the 1989 introduction of economic reforms, the split of Czechoslovakia in 1994, and a worsening of the social and economic situation in the 2000s.¹¹⁰ Exposure to environmental injustice is a limiting factor in mobility as it imposes additional social and economic costs on the affected people. All the monetary and non-monetary costs deeply affect Roma communities and put them in a disadvantageous position in the region severely impacted by economic transition.

¹¹⁰ We have to distinguish here, that some Roma (usually from better-off villages, possessing financial capital, contacts, and networks) may have their mobility increased due to open borders and EU integration (see for instance Grill 2011 and his study of migration networks to the UK). This is not the case, however, of people in the marginalized rural shantytowns included in the research sample.

CHAPTER EIGHT

Roma? Not in My Backyard

The patterns described in the previous chapter represent four specific types of unequal distribution of environmental benefits and harm. Although different in forms and scope, they share several common features. They are the outcome of division in the villages, where through social processes the weaker group (Roma) is unequally exposed to adverse environmental impacts or has limited access to environmental benefits. With a bit of exaggeration, the location of settlements, management of natural resources or waste is an outcome of the cold war over the space in villages and the environment plays an important role in the struggle. I identify three main factors influencing decisions of the majority toward the selection of environmentally problematic places for Roma settlements. These are:

- Economic interests (the price of the land/real estate value, commercial potential);
- Ethnic discrimination and spatial distance (proximity to the main village and racial prejudices/the effort to push Roma out of the main village); and
- Changes in local economy (management of the resources and access to employment).

Economic interests are a very powerful driving force behind decision making, but ethnic discrimination also plays an important role. Non-Roma do not want Roma in the main village and are often able (as illustrated in the cases of Rudňany and Svinia) to find ways to push them to the outskirts. Environmental conditions most likely—mainly through their impact on the value and commercial potential of the land—play a decisive role in the selection of places for settlements.

All these three factors are then reflected in the entitlements control and distribution. Amartya Sen originally claimed that entitlements derive from

legal rights rather than morality, or human rights and should therefore be treated as a descriptive, rather than a normative concept (Sen 1984: 166). Yet, even if entitlements as such are not a normative concept, the ways in which people and social groups approach their distribution are to a significant degree (at least in our examples) dependant on morals, cultural norms and the shared values and perceptions. In addition, there are (equally, if not even more important) economic interests playing a crucial role in the distribution.

Economic interests, social pressures, prejudices and competition over the resources are all reflected in the decision-making and the entitlements are primary tools used in the distribution of the environmental resources—especially land as the most important factor in the origin of environmental (in)justice.

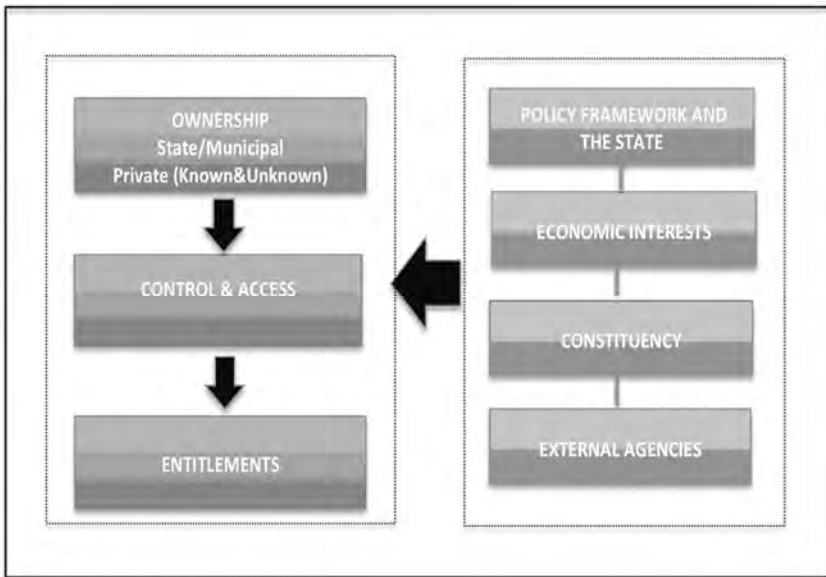
Some settlements were built a long time ago, some during the former totalitarian regime, and others have appeared recently after the political changes in the 1990s. Although regimes were changing and the governance system has been going through rather different stages, there are similarities and deeper mechanisms in the entitlement control. Regardless of the regimes, from the very beginning of the settlements' history we see here a strong role of the non-Roma (i.e., entitlements' owners and controllers) in the allocation of places.

As we have seen in the case studies, there is a need to distinguish ownership, control and access. Private ownership is part of the legitimised command, but equally (if not more) important is the control of entitlement over the land which has unknown, scattered owners or is in the possession of the municipality and state. In the present situation of mixed and unclear ownership of unknown entities, where known owners are not particularly interested in their properties (e.g., because of its low value, small size, fragmentation or poor location), the role of the municipalities becomes central in land control. As schematically visualised in Figure 23, entitlements over land in municipalities with Roma settlements are a rather complicated outcome of different forces and actors pursuing their own aims.

Problem arises, when the interests of non-Roma are not driven by normative concepts of social cohesion or shared values involving Roma, but rather by interests of their own group, which they consider as contradictory to the interests of Roma. Thus the entitlements and their control (either formal built on ownership, or informal derived from norms, rules and power) is used in particular interests of the stronger group. To use terminology from the environmental policy literature, interest of the ma-

jority when coming to the land distribution for Roma settlements can be identified as the “not in my backyard” (NIMBY) syndrome. The majority sees Roma as a kind of pollution of the space. They should be settled somewhere, but not here. Although the original meaning of NIMBY referred to infrastructure and capital, in this case it refers to people.

Figure 23. Schematic visualisation of the different forces and actors shaping entitlements over the land distribution in municipalities with Roma settlements



The perspective of the non-Roma majority could be further analysed from an ethnocentric perspective. Ethnocentricity—a term coined by William Graham Sumner in his 1906 influential book *Folkways: A study of the sociological importance of usages, manners, customs, mores, and morals* (Sumner 2010)—here refers to the tendency to look and evaluate the outside world predominantly from the perspective of one’s own culture. Sumner describes ethnocentrism as a situation where one’s own group perception is such that they are the center of everything and all other groups are judged from this point of view (Bannister 1992; Reynolds et al. 1987). The central group’s perception is that their race, culture, and norms are superior to those of others. In this way, other groups and their individual members are judged as less valuable or important.

The cold war over the village space is between two competing groups of different strength, and has winners and losers. In the previous chapters,

I discussed factors that contribute to the internal weakness of Roma vis-à-vis their non-Roma neighbors. The location of the Roma shantytowns is not the end of the story. It is often just a beginning of another form of environmental (in)justice. Once the places for the settlements are selected and inhabited by Roma they often become places for other environmentally unfriendly activities (e.g., construction of landfills like the case of Svinia). The space is then constructed as “beyond the pale”—the term we define and closer analyze later in this chapter.

Economic Interests

The environmental aspects are especially important in connection to economic factors. Barth (1956), in his study on three ethnic groups in Swat, West Pakistan, concluded that environmental factors are crucial to explaining the location of different groups. Location of a group in his understanding is the result of ongoing competition between different social and ethnic groups and if different groups are able to exploit the same niches fully, then the more powerful will normally replace the weaker.

The distribution of ethnic groups is then controlled not by objective and fixed “natural areas,” but by the distribution of the specific ecologic niches which the group, with its particular economic and political organization, is able to exploit. Canfield (1973) questions Barth’s conclusions and points out that Barth’s concept must be understood in the way that relations with competitors—in a spatial context—are as important as those with natural resources. Barth and Canfield’s studies point out two important factors in the distribution of environmental resources and places different social or ethnic groups occupy: environmental factors expressed in economic values of a particular place and social relations between the groups.

Arable land, pastures, or productive forests have high values in rural communities of Eastern Slovakia. A growing tourist industry increases the importance of entitlements over natural resources. Economic conditions were deciding factors on where to allow Roma settlements to be built. Wetlands, flooded zones, unproductive land, or abandoned areas were the first selection. Roma as the newcomers with limited ability to buy land had limited choices to negotiate.

Processes we see nowadays may well resemble and illustrate what happened in the past. Sometimes the value of the land and commercial potential change over time. An agriculturally unattractive piece of land allocated to the Roma a century ago might turn out to be of good value

decades later when the tourism industry develops. For example, the Roma settlement in the part of the village Letanovský mlyn is located in the valley leading to the national park. As the mayor of the village stated: "As soon as we eliminate the former Roma settlement, we plan to build tourist facilities and parking lots in Letanovský mlyn."¹¹¹ In the perception of non-Roma the location of the Roma settlement is one of the main obstacles for the development of the tourist industry in the village.

In the spring of 2005 the municipality started to construct new public housing for Roma from Letanovce. They allocated a place located three kilometers outside the village for this housing project. Furthermore, there is no direct road connecting this place and the village. The mayor of Letanovce said in the Slovak daily *SME*: "Owners from Letanovce refused to sell land any closer to the village."¹¹² The case of Letanovce is the perfect illustration of how the non-Roma majority of land owners and decision makers choose places for Roma settlements. It is not an isolated case, but perhaps illustration of broader trends.

Approximately 500 people live in overcrowded houses in Jánovce with a single water tap. In 2011 municipality started an ambitious plan of moving the Roma settlement located in the village center two kilometers away (from quarter Pod Machalovcom to Hlohy). The village mayor defended this decision on the ground that the place where the current settlement is located belongs to private owners and the shantytown is built illegally and without permission. In his words: "The settlement above the village center decreases land price, cost of buildings and properties. Both individual and municipal. We will get rid of illegal construction and Roma will get new social housing." The municipality defends its housing project base on the fact that they do not have any other municipal land where to construct the houses. An estimated value of €3.3 million is a rather significant investment and they depend on the state funds for this project. The Roma signed agreements, yet the village has not secured the funds yet. The reason behind this move is clearly interest of private owners, who want to start with housing construction in the village; thus they need to get rid of the Roma shantytown. The municipality did not attempt to exchange its land in other places for the land of the private owners, or to reach any deal about construction of the social houses contributing to the integration.

¹¹¹ Slovak daily *SME*, "Letanovský mlyn sťahujú do novej osady" (Letanovský mlyn will move into a new settlement), April 28, 2005, <http://www.sme.sk/clanok.asp?cl=2028448>.

¹¹² Ibid.

Those with the entitlements decide on places for Roma settlements. Growing social inequalities has often led, on the local level, to polarization of the communities and emergence of the new economic elites controlling municipal governance. At the same time, non-Roma constituency of the elected municipalities is rather prone to support any measure for the Roma segregation.

Situation in many of the Roma settlements is catastrophic, and the environmental conditions are part of the problem. Yet economic interests, reinforced by open or hidden discrimination and prejudices and camouflaged by generally progressive idea of building new social houses lead to narrow-sighted solutions that may prove to be adverse in the long run and contribute to deepening segregation.

Spatial Distance and “Not in My Backyard” Syndrome

According to the survey by the Public Opinion Research Institute, as many as 66 percent of the respondents agreed that Roma should live in separate settlements.¹¹³ Almost four-fifths of the general population in Slovakia would object to Roma moving into their neighborhood.¹¹⁴

Gordon Allport (1954) identified a five-point scale for different intensities of prejudices and social and ethnic tensions: (1) gossiping, stressing only negative aspects or stereotyped estimation in which the members of a group or nation are represented as lazy, cunning, cowardly, dirty, evil, etc.; (2) avoiding any contact and creating a social distance; (3) discrimination in various spheres of life by which particular rights of the group in an inferior position are deprived; (4) physical attacks as a transition from the verbal to bodily aggression; and (5) extermination (pogroms, genocide, ethnocide). The first three points may be used to describe the situation in shantytowns included in the research sample. Out of them, point 2 is of particular importance for conditions enabling environmental injustice. Attempts to create social distance are supported by measures to create spatial distance (or geographical barriers) between non-Roma and Roma.

The case studies of Rudňany and Hermanovce as well as outcomes of the RRA point to the problem of distance. Non-Roma and Roma are seg-

¹¹³ Quoted in Vagáč and Haulikova (2003).

¹¹⁴ European Values Studies—a large-scale, cross-national, and longitudinal research program done by the Tilburg University, available at <http://www.jdsurvey.net/web/evs1.htm>.

regated practically from the birth to death. Children attend separate classes in Hermanovce, there is a separate store for Roma in Svinia, and separated masses for Roma in the local Roman Catholic Church in Žehra. The circumstances of resettlement projects for Roma in Rudňany and in Svinia in the 1970s and 1980s, respectively, and the selection of places for resettlement can be best explained by the attempts of the majority to push Roma out of the centers of villages and create a spatial distance between the two groups.

Prejudices and open and latent racism play also important roles in the decision making concerning Roma settlements and their exposure to the environmental threats. Non-Roma have often tried to allocate places for the Roma settlements as far away from the village as possible.

This comes back to the not in my backyard syndrome. Roma in this perspective are seen as an environmental threat, a kind of “environmental pollution” that decreases the well-being of those living in close proximity. To have Roma neighbors has a direct impact on the decreasing price of real estate on the market as it is a decisive factor for non-Roma buyers.¹¹⁵ Living next to Roma is simply considered a disadvantage among the majority. Their close proximity makes it difficult to sell property to people from cities looking for weekend houses or to fellow neighbors from the village. Thus, the two most important factors in the selection of places are economic value of the land and proximity of the Roma to the village.

In other words, cheap land (with low opportunity cost), and spatial distance matter. Environmental factors in the places selected were either not taken into account or were neglected. The latter case may be affiliated with the racial prejudices about Roma as “dirty” or “filthy” and not deserving a better treatment.

Creation of social distance (reflected in spatial patterns of settlement) is a factor in the housing projects that were under development and construction in the late 1990s and early 2000s. The majority of Roma in Spišské Vlachy-Dobra Vôľa live in new houses built with the help of the local municipality. Not surprisingly, they are segregated from the village and have a potential to become an independent administrative unit. New

¹¹⁵ Houses in close proximity to shantytowns are the cheapest houses in the villages. It could be possible to assess this using a method like Hedonic prices, which estimates economic values for ecosystem or environmental services that directly affect market prices. It is most commonly applied to variations in housing prices that reflect the value of local environmental attributes. More information on this method is available at http://www.ecosystemvaluation.org/hedonic_pricing.htm.

housing projects developed in Svinia, Letanovce, Spišské Vlachy-Dobra Vôľa, and Hermanovce have one thing in common. New houses are planned (or already built) in places most distant from the village centers. In the case of Letanovce, the municipality selected a place so distant from the village that it is now closer to the centers of neighboring municipality than to the village itself. Not surprisingly and fully in harmony with my arguments above, the neighboring municipality is strong opponent of the project and has been doing all possible steps to stop it or locate it somewhere else.

It is exactly because of these dangers that the state and different agencies must actively step in. The verdict from the court in Prešov on June 17, 2009 provides important case-law for many municipalities in Slovakia: the court decided that building social houses for Roma outside of the town territory in Sabinov was discriminatory, and against principles of social integration. The municipality and the Ministry of Construction and Regional Development lost the case and those affected have obtained compensation. The compensation will not solve their segregation problem and the trends I describe in this book indicate that the Sabinov case is not extreme, but it is the confirmation of adverse trends. The verdict is an important signal that Roma are entitled to non-discriminatory practice in housing projects. It also points to the importance of civil society organisations initiating this court procedure and to the Roma themselves who realised there existed mechanisms to protect their rights.

Changes in Local Economy

The third important factor in the pressure for segregation (and thus indirectly for environmental injustice) involves the economic and social aspects of the relationships between Roma and non-Roma. The question that arises is why do some social or ethnic groups (i.e., Roma) experience weaker economic potentials? Lin (2000) suggests that these types of inequalities occur when a certain group clusters around relatively disadvantageous socioeconomic positions, and the general tendency is for individuals to associate with those of a similar group or socioeconomic characteristics. In other words, depending on the process of historical and institutional constructions, opportunities have been unequally distributed to different groups defined by race, origin, class, or religion. The general tendency for individuals is to interact and group with others with similar characteristics. This is the case especially when boundaries between groups are clearly defined and difficult to cross.

To be clustered around disadvantageous economic situations is a very vulnerable position especially in the times of economic crises or rapid changes. Economic transformation in Slovak villages after the 1948 collectivization and industrialization broke traditional economic networks in the villages, but it provided work opportunities elsewhere. This was not the case of the 1989 transformation and breaking of the economic system that dominated the villages for some forty years. Roma, who traditionally worked as seasonal workers on cooperative farms, miners, or lumberjacks, are not needed anymore in the labor force.

Slovak Forest Company had 36,000 employees prior to 1990. By 2005 it was down to 13,000 and the pressure is to decrease the number even further down. Prior to 1989 Slovak agriculture provided more than 370,000 job opportunities, most of them in the rural areas and for people with lower skills. In 2007 the number stands at 41,723, most of them are machine operators and people with higher technical education.¹¹⁶ Mines in Slovenske Rudohorie region operating from medieval times were practically closed in the early 1990s. Metal processing factories work on limited scale and all of them massively invested into modernization, which means sophisticated computer programmed technologies with a decreased demand for human labor. This trend is similar to that described by Alan Schnaiberg (1980) in his theory of the *Treadmill of production* typical for developing countries: gradual increase of work productivity and resources consumption, with a decreased demand for labor, which is more and more replaced by mechanization.

A decrease in agricultural production and mining and new technologies and machines in agriculture and forestry have been gradually reducing the demand for unskilled workers. These changes have greatly affected also non-Roma inhabitants of villages. As the Roma were among the first who lost their jobs, the non-Roma focused on protecting the remaining opportunities (e.g., in service sector).

The Roma thus lost one of the very few reasons they were tolerated by the majority. As Asad (2002) points out, landlords do not need to worry about how to make themselves indispensable to the landless; it is the latter who must worry about making themselves acceptable to the landlords. Because Roma are no longer needed for the village economy, there is no reason—from the majority perspective—to have them in the village.

¹¹⁶ Statistical Bureau of the Slovak Republic. Statistics available at <http://portal.statistics.sk/showdoc.do?docid=15165> (10. 4. 2012).

Roma are seen as an inferior group and, at the same time, competitors for scarce resources. Outside pressure to increase expenditures on infrastructure in Roma shantytowns or positive affirmation is often interpreted by non-Roma as measures to enhance the position of Roma on their account. Roma communities are perceived as an obstacle to the development of economic activities (e.g., the tourist industry), security, or to social cohesion of the village. Roma shantytowns as often mentioned by non-Roma as the reason why the village has no future and why young people from the majority leave, looking for life opportunities outside the place. These factors contribute to further efforts to segregate Roma from the villages.

“Beyond the Pale” Construction

Competition and different position of the two different social groups is reflected in the spatial distribution of the Roma settlements. But it is not the only interesting outcome from the environmental justice perspective. Once you have space inhabited by Roma, it becomes a place (in the eyes of the majority, i.e., entitlements controller and decision makers) unsuitable for any development plan or project. On the contrary, it becomes an area for the allocation of problematic projects and activities.

Once the Roma shantytowns are set up, the area may turn out to become a place for environmentally problematic management practices (e.g., the location of a new landfill in close proximity to Roma settlements). Parts of villages inhabited by Roma are considered lost for any meaningful investment and the local council is well aware of the fact that Roma, as the least powerful group on the local level, will not generate sufficient pressure to prevent this type of investment.

The area inhabited by Roma in the villages might start to be viewed by the majority as a “lost ground” or territory beyond the pale. The expression *beyond the pale* referred in history to various defended enclosures of territory inside other countries. It meant territory outside the bounds of acceptable behavior. The idea behind it was that civilization stopped at the boundary of the pale and beyond it were those not under civilized control and whose behavior therefore was not that of civilized people.¹¹⁷

Conceptualization of areas inhabited by Roma by the non-Roma as beyond the pale space is the outcome of the inequalities between them and economic and social drivers forming attitudes and approaches of the

¹¹⁷ See Michael Quinion’s account on history of the term at <http://www.worldwidewords.org/qa/qa-pal2.htm>.

more powerful group. Roma in shantytowns are the subject of decisions of a majority they have very limited power to influence. These could be decisions about new landfill construction or waste management when waste flow is sent from the non-Roma part of the village into the Roma parts, land use plans discriminatory to the Roma or decisions about the disconnection of shantytowns from public water supply systems construction.

If the non-Roma majority conceptualizes Roma shantytowns as beyond the pale, it means that the space can be used for construction of landfills. It might be used for throwing out trash and is considered to be the part of village territory where the village may place any activity with troublesome impacts. Once the space is constructed beyond the pale, it becomes an area excluded from normal treatment. Cases like Rudňany, Svinia, and others, where it is more difficult to investigate what was first—the shantytown or landfill in the close proximity (e.g., Hermanovce)—confirm the danger of the approach. Beyond the pale has multiple impacts on the people and the environment:

- Increase of the environmental stress—besides “old” environmental threat (e.g., contaminated land) it brings new dangers (e.g., waste management);
- Reinforcement of the impact—floods may increase danger of chemicals from landfills;
- Minimal standards—weaker communities cannot generate substantial pressure on the investors and they can “afford” minimal required standards or to omit mitigating measures;
- Culmination of social, economic, and health impacts on the affected population.

Once a shantytown is established with marginalized people concentrated in one place, and barriers between the majority and minority population are created, the environment may become yet another stressing factor for the affected communities. Beyond the pale syndrome is difficult for the people endangered by the unequal distribution of environmental harms to affect its formation.

The flow of influence from the beyond the pale space to the area of the majority in villages is so far very limited (also as we discuss in the last chapter, there are some changes and increasingly successful attempts of Roma candidates to penetrate local governance through elections). Roma may generate certain pressures on the decision-making process (mostly if

they are supported by external agents like NGOs), but their influence is very circumscribed. Moreover, a place once constructed as beyond the pale is in the vicious circle of the deterioration of social, economic, and environmental conditions. The division between spaces occupied by Roma and non-Roma may have a tendency to deepen instead of narrowing. People living there will be further exposed to environmental threats and their access to environmental benefits may be further diminished. Communities may find themselves surrounded by waste from cities or exposed to the construction of problematic facilities.

Symbolic, Cultural, and Social Capital

In the case of Roma shantytowns and the surrounding non-Roma villages, we see two groups possessing different power and strength. Yet what shapes their relative strengths or weaknesses? A social group consists of individuals, but its strength depends also on how the individuals cooperate, form networks and relationships, agree on common goals and generate support and resources. Using works and terminology developed by Pierre Bourdieu (1985, 1992, 2005) what kind of economic, symbolic, cultural, and social capital does the group have?

I have already discussed economic strengths and weaknesses, access to entitlements and control of economic means in the villages. Yet the differentiated economic strength has its roots and we may see it (to a great extent) as an outcome of a long historical process of development shaped by various factors. Among others also by different capitals this or that group possesses. As Pierre Bourdieu (1985) shows us, cultural, social, and symbolic capital is convertible back into economic capital. He sees cultural capital as a form of nonfinancial social assets. These assets may be intellectual or educational; it is accumulated cultural knowledge influencing social mobility beyond economic means. Bourdieu (1985) further claims, that symbolic capital (e.g., socially recognized legitimization; closely related to cultural and symbolic forms) is a crucial source of recognition and power and that socially inculcated classificatory schemes work in the society.

When a holder of symbolic capital uses the power this confers against an agent who holds less, and seeks thereby to alter their actions, they exercise symbolic violence. "Symbolic violence . . . is the violence which is exercised upon a social agent with his or her complicity" (Bourdieu and Wacquant 1992: 168). Roma are not legitimized as the members of the society (by the non-Roma), are weaker in terms of power and the result is

often confrontation. We see here competition and conflict where symbolic and cultural capital play a role:

It is a space of play and competition in which social agents and institutions which all possess the determinate quantity of specific capital (economic and cultural capital in particular) sufficient to occupy the dominant positions within their respective fields [the economic field, the field of higher civil service or the state, the university field, and the intellectual field] confront one another in strategies aimed at preserving or transforming this balance of forces . . . This struggle for the imposition of the dominant principle leads, at every moment, to a balance in the sharing of power, that is, to what I call a division of the work of domination. (Bourdieu & Wacquant 1992: 76)

The third of the capitals—social—is rather difficult for interpretation. The first definition was set forth by Bourdieu (1985), who defines social capital as “the sum of the resources, actual or virtual, that accrue to an individual or a group by virtue of possessing a durable network of more or less institutionalized relationships of mutual acquaintance and recognition” (Bourdieu and Wacquant 1992: 119). Coleman (1990) puts forward a more straightforward definition. He describes social capital as “social-structural resources used by individuals to achieve certain ends.”

Putnam et al. (1993) came up with the idea of social capital evolution. Although he defines social capital as “features of social organization, such as trust, norms, and networks that can improve the efficiency of society by facilitating coordinated actions,” he makes an important distinction between “virtuous circles” and “vicious circles.” In cases of high levels of social capital and trust, social capital tends to regenerate itself increasingly, while the reverse holds for societies that start out from a low level of social capital.

The situation in Eastern Slovakian villages with Roma shantytowns can be analyzed from that relative power and influence on the local level shaped by weaker social capital of Roma ethnic minority, which is not able to compete vis-à-vis the stronger social capital of the majority and inevitably become losers in competition for natural resources or in challenging entitlements over certain land (e.g., clean and safe environment for settlements). Obviously, understanding why certain networks and individuals are more privileged than the others is far more complex. Development is not an irreversible path-dependent process. The situation of social groups is not static and different global, national, and local pressures and influences shape their social capital in positive or negative ways.

In her analyses of poor urban communities in the United States, Carol Stack (1974) described how everyday survival in these communities de-

depends on close interaction with kin and friends in the same situation. Some of her conclusions might be applied to the Roma situation in Eastern Slovakia. The ties and survival strategies utilized and applied by Roma do not reach beyond the place they inhabit, thus depriving their inhabitants of sources of information about opportunities and possibilities elsewhere and ways to attain them. In this case, social groups block their own opportunities and chances. However, even if they wanted to break the barriers, other social groups are often deploying their social capital to prevent other groups' access to resources and opportunities. This is the case of colliding economic interests, discrimination, and competition over the natural resources in the villages with Roma shantytowns.

Going back to Bourdieu's analyses of symbolic, cultural, and social capital as the forms of nonfinancial social assets convertible back into economic capital (or for instance entitlements) help us understand complexity of the situation, where we see cases of the environmental (in)justice as side effects of the competition, conflicts, and symbolic violence. Symbolic violence is the tacit almost unconscious modes of cultural and social domination occurring within the everyday social habits maintained over conscious subjects. It has forms of hidden or soft violence, seemingly within the limits of law and what is considered as normal behavior, but what often includes actions with discriminatory or injurious meaning and implications.

Competition and Conflicts

One village—two divided communities. In Eastern Slovakian villages there are two separate durable networks of more or less institutionalized relationships of mutual acquaintance or recognition, which compete with each other for resources and recognition. These two separate social groups living side by side share the same space but live on “different planets” with minimal knowledge of each other. The symbolic, cultural, and social capitals of the Roma and non-Roma have developed over the years and are daily strengthened, maintained, or weakened by various influences of governmental policies, development NGO programs, and other factors contributing to this dynamic process. However, when it comes to the decision making on the local level, a stronger group (i.e., non-Roma) may mobilize its capital and make decisions in the way most beneficial for them, while it may prove to be discriminatory to the others (i.e., Roma). This could be a case of allocation of land for newcomers' settlements,

selection of places for new social houses, or agreements where the village builds a new landfill.

In his general theory of competition, Cooley claims that competition is a universal aspect of life, that it is neither good nor bad in itself but can be either, dependent on its relation to the larger social order and the goals of the competition (Cooley 1894; see also Bodenhafer 1930). Cooley sees competition more in the neutral form—it can be positive as well as negative depending on circumstances and the broader framework of the society where the competition takes place.

Table 8. Groups' strengthening and weakening factors

FACTORS	Economic	Social status	Cultural assets	Environmental conditions
Strengthening	▶ Wealth ▶ Economic growth ▶ Economic cohesion policies and redistribution in society ▶ Pro-job creation policies	▶ Social inclusion ▶ Recognition ▶ External agencies' assistance ▶ Positive affirmation ▶ Rule of law	▶ Strong cultural identity ▶ Low birth rate ▶ Demographic pattern	▶ Entitlements to natural resources ▶ Access to natural resources ▶ Healthy environment
Weakening	▶ Economic decline followed by poverty ▶ Social spending cuts ▶ Regional disparities ▶ Inequality in labor market ▶ Corruption	▶ Social exclusion ▶ Internal fragmentation ▶ Disempowerment	▶ Assimilation ▶ Prejudices, racial discrimination and unequal treatment ▶ High birth rate	▶ Natural disasters ▶ Adverse environment ▶ Resource scarcity ▶ Disease

Natural resources are key subject of the competition, and the dominant group is trying to maintain and possibly expand control of them in a way Asad (2002) calls "the systematic compulsion to expand one's control of resources" (as in a self-regulating capitalist system). The dominant group keeps control over the productive and economically important land, and when the economic benefits from a particular piece of land change (see the cases of Letanovce or Jánovce and the changed value of formerly less productive agricultural land to a newly interesting place for commercial

development), they expand control and try to move the weaker group to a new place.

In contrast, members of the marginalized groups share a relatively restricted scope of resources and influence. Table 8 lists some of the factors contributing to the strengthening or weakening of individual groups. The situation of people is not static and different global, national, and local pressures and influences shape their relative strength in positive or negative ways. The situation is formed by socioeconomic conditions and has been constantly reshaped by multilevel interactions among stakeholders. There is no single pattern of development—the situation in settlements differs from case to case. However, certain general trends and tendencies prevail.

Poverty, lack of entitlements, and ethnic segregation have led to the current situation of two separate and uneven groups existing side by side, but having minimal connections between them. Cases of environmental injustice in Eastern Slovakian villages are primarily an outcome of inequalities in different forms of capital and competition between Roma and non-Roma, where racial discrimination, prejudices, class and economic interests are at stake. Natural and environmental factors have played important roles in the distribution of land and settlement rights, while the strength or weakness of the individual groups is crucial in this distribution. I found no evidence that the environmentally dangerous places were selected by the majority for the minority as a way to exterminate them or make them suffer on purpose. It is rather economic and social factors that have played the key role, while impacts of the exposure to environmental harm were insufficiently understood by both sides due to a lack of information and low awareness about different impacts of exposures to potential environmental dangers.

The aim of the non-Roma is to maintain the existing equilibrium of power, whereby they dominate the villages economically, socially, and politically. Although non-Roma are also internally divided over individual interests in substantial issues (e.g., which land should be allocated for Roma housing projects in Hermanovce or Letanovce) they can formulate and enforce their group interests.

The Roma as an internally fragmented ethnic group were usually less organized and less able to articulate their needs (e.g., to notice the latent inability to unite behind their own candidates for general or municipal elections); they do not possess capital, land, and entitlements to natural resources.

For the time being, the typical and usual model is the one of a stronger group of the non-Roma majority and a weaker ethnic group of the Roma

minority. There is very limited contact between these two groups and minimal interactions among them (limited practically to the implementation of the decisions approved by the majority). The mayor and village council members are usually the only non-Roma in regular contact with Roma and this is mainly due to their work obligations. The more privileged groups in power structures enjoy better access to information and resources and have influence in the decision-making process and selection of people for elected or nominated positions.

Roma were thus for centuries in the position of a recipients of the decisions. Yet, this equilibrium might prove to be short-lived. Roma are not just “passive objects” but should become active subjects aspiring (or potentially aspiring) to increase their share of resources. Decentralisation and local elections introduced in the 1990s have become the most important mechanisms for challenging the exclusionist style of governance and changing entitlements through gradually visible political mobilisation and local elections. Also there is no fast progress, but Roma are increasingly able to overcome internal fragmentation (especially in smaller villages) and unite for local councils and mayoral elections. Villages in the Upper Svinka River Watershed are excellent example of this trend. The EU and nation state policy framework further entitle marginalised people and communities with anti-discrimination measures (see for instance already mentioned court decision prohibiting new construction of housing for Roma in isolated locations) and the state invests into social housing and infrastructure. In the last chapter of the book we therefore discuss how these and other factors and trends have been changing distribution and control of the environmental benefits and harms in cases where there are two groups competing over the same resources, as is the case in villages in Eastern Slovakia inhabited by Roma and non-Roma.

The key question appears to be, if the EU and/or national framework and investment accompanied by localized power shifts change the overall social and economic trends and their local impacts, and what are likely scenarios of the future development. Will growing participation of Roma in the decision-making process mitigate the latent tensions and contribute to addressing cases of the environmental justice? What is perception and possible strategies of non-Roma to the changing landscape of the villages’ politics? What are the chances for breaking the current adverse trends of social and economic decline?

CHAPTER NINE

Trends and Reverting the Trends

I have attempted to provide in the previous chapters picture of the Roma minority vis-à-vis distribution of the environmental benefits and harms, and contexts in which decisions are taken and trends shaped. This chapter takes different approach and discusses how to address the trends and how to reverse various economic, social, and environmental factors that contribute to environmental injustice. In other words, what are the options for addressing current and for preventing future inequalities in the distribution of environmental benefits and harm? The focus is on the ways to challenge the broader economic and social environment that enables the unequal treatment and to look for alternatives that address the unequal distribution of environmental benefits and harm on the local level.

“Environmental problems are first and foremost political because they affect social groups differentially and impose different types of cost and burden” (Grant 2001; see also Grant et al. 2000). Solutions to political problems largely depend on political decisions, and these decisions are formed by the conceptual framework we adopt. The key concern is how to shift the current pattern of policies and practices contributing to the origins of cases of environmental injustice.

Based on the analyses of different macro- and micro-factors contributing to the present situation there is not much space for optimism, in neither the short nor the long term. It however does not mean that there is no choice. There are potential policy and management changes that are important for the improvement of the environmental conditions in Roma shantytowns. For instance, in development of synergies among environmental protection, natural resource management, and social and economic cohesion.

There is however no simple universal solution to the problematic situation of people living in the shantytowns of Eastern Slovakia or elsewhere in Central and Eastern Europe. Their problems are a reflection of struc-

tural problems we all face in this time of globalization, falling social standards, and challenging ecological limits of the planet.

Nevertheless, there are always some possibilities for how to address the most severe cases of the environmental (in)justice and help the affected people. Empowered, entitled, and stronger Roma communities, able to formulate their interests and bring them into the decision-making processes, is a vision expressed many times by Roma themselves and by people working with the Roma. The environment plays a significant role in this respect. It serves as an argument for mobilization and a search for solutions in the cases of environmental injustice as seen in Rudňany or the Upper Svinka Watershed. The concept and evidence of environmental injustice may provide an additional dimension to the struggle for better living conditions in the communities appraised in the villages in this research, and serve as an inspiration for others facing similar problems.

The environment is the problem, but it is also part of the solution. It could play a role as a source of employment opportunities, income, and a place of collaboration between Roma and non-Roma. It could provide much needed opportunities for the development of individual skills and foster cooperation among the social groups through sustainable utilization and management of natural resources. We cannot address environmental injustice without addressing the economic and social situation in the shantytowns and access to justice. Conversely, we cannot address the social and economic situation of the people without addressing their environmental problems. These issues are not parallel processes but different aspects of the same process. It is a process of changing the competition and conflict between the two groups into cooperation, while utilizing opportunities provided by the environment.

The question that arises is whether the changes in macro-level of policies and micro-level competition and resulting problematic environmental conditions for disadvantaged groups (together with other social and economic motives) will lead to conflict or to a new form of power relations in the villages. To discuss possible answers to this question, I start with the outline of two extreme scenarios for the future, assuming, that the likely development will be somewhere in between.

Doom Scenario: From Competition to Conflict

Roma and non-Roma live in close proximity and share the same environmental niche. This proximity coupled with limited resources might further increase tension. Conflict in villages with a Roma minority would proba-

bly not take the character of open clashes. The rebellion and looting that took place after social spending cuts in early 2004 are the only example to date of open conflict and violence between the majority and minority.¹¹⁸ It was an outside force (i.e., the police and army), not the people from the villages who suppressed the rebellion, but the interpretation is that they acted to protect the non-Roma majority in the villages and the state in general. This revealed that the state apparatus, supported by public opinion in the country, is willing to deploy force to suppress any such attempts.¹¹⁹ Such strategy addresses the situation in the short run, but it does not address the roots of the problem.

New social policies cuts and austerity measures introduced in 2011 will be followed by more oppressive and stigmatizing policies against the “black passengers” living on the welfare system, without contributing to it. Ignoring the fact, that there are simply no job opportunities for the low-educated and discriminated minority, the policies will be focused on punishment of those who do not work.¹²⁰ Privatization of the health care, social services, education, and natural resources will gradually diminish the already poor integration options for Roma.

The deteriorating social and economic situation will, together with increasing awareness about environmental dangers in the shantytowns, lead to latent conflicts between the Roma and non-Roma. The tendency will be enhanced by growing social insecurity among the non-Roma due to the deterioration of their own social and economic situation as the outcome of the overall situation in the state, growing regional disparities, and decreasing social spending. Remote rural areas will not attract significant investment and social and economic cohesion policies will fail. Roma will be increasingly prevented from secure tenure and entitlement over natural resources. Main conflict will be over the illegal logging, where enhancement of entitlements through ownership (e.g., because of privatization of

¹¹⁸ The looting took place in two places included in the RRA sample: Trebišov and Trhovište. It did not happen in places covered by the two case studies in this research. According to interviewed experts, it was the work of NGOs and activists with the communities that helped to prevent this and the riots occurred mostly in places with limited or no outside assistance to Roma communities.

¹¹⁹ Anti-Roma riots in the fall of 2011 in the Czech Republic or Bulgaria showed how sensible this problem is and how strong public prejudices are against the minority.

¹²⁰ Just as an illustration, in June 2011 there were eight available jobs (for more than 8,000 registered unemployed) in the whole district of Spišská Nová Ves, while even for the job of a shepherd it is necessary to complete exiting exams from the secondary school. This district has the highest concentration of the unemployed Roma in the country.

forests) will further amplify the already serious problem. Privatization of land and transformation of the land of unknown owners to state or private entities will increase pressure for shantytown resettlements in the cases where the land has some commercial potential.

In increasing number of places with Roma population the minority will gradually become the majority. It will lead to power shift. Several Roma mayors were already elected in the 2010 elections and Roma representatives dominate municipal councils. The number will increase with every subsequent election. These shifts simultaneously enhance exclusionist tendencies.

Take for instance the situation in Žehra as the model. The non-Roma population works on segregation of their part of the village in a separate administrative unit after the election of the Roma mayor. Examples of Roma takeover of the local governance structure will further reinforce exclusionist tendencies in other municipalities with Roma population to separate their parts of the villages into independent administrative units. Construction of social houses will serve the hidden agenda to remove Roma from the center to outskirts to make subsequent separation easier and to enable segregated settlements.

Important signal of these trends is increasing pressure of the municipalities to change the law and make establishment of new villages easier (Because of rather scattered and fragmented population especially in the rural areas, there is a long-term governmental policy to prevent such a split and therefore some minimal requirement for establishment of a separate administrative units are in place—e.g., minimal number of the inhabitants in the village before the split must be 3,000 people, and new administrative units must have clear geographical boundaries). Non-Roma mayors of small villages already lobby government for softer conditions and it is possible that they will succeed. Where separation will not be possible, fences and walls will be erected between these two communities. Only in 2010 there were several walls built to segregate Roma: in Ostrovany, Michalovce, Prešov, and Vrútki. Other municipalities claim that they will follow this example. The outcome will be ghetto even in those places where there are none yet.

The state will effectively limit its involvement to limited social spending and demonstrations of force. Decreasing of social spending and opportunities will lead to vicious circle of more criminality, which in turn will justify more force and support further cuts in the welfare system. Isolated attempts of external agencies (e.g., NGOs) will have a problem with sustainability and in the atmosphere of hostility from the side of the non-

Roma, the Roma in the shantytowns will fall into deeper social anomie and distrust. The state of anomie and “rules of jungle” will bring into power the most assertive individuals and families and the power will be organized on a clan-based system.

Distribution of the scarce resources coming from the outside will be done in a way promoting widening of the social inequalities in this already unequal environment. The state will address growing problems by massive deployment of force and broad incarceration of Roma in different types of jails. This will lead to further isolation of the two groups and a decrease of contact between them. The non-Roma majority will block or sabotage any attempt to address the Roma situation, including exposure to environmental risk.¹²¹

Roma shantytowns will develop into beyond the pale places with deteriorating environmental conditions. The shantytown surroundings will be used for setting of the environmentally problematic constructions (e.g., landfills, waste processing).

Optimistic Scenario: From Competition to Cooperation

General development policies and programs in the country will focus on proactive approaches to the involvement of the disadvantaged groups in society by providing job opportunities and social stability for underdeveloped regions and marginalized people and communities. Through extensive outside assistance from governmental and non-governmental agencies, social, economic, and environmental conditions in Roma shantytowns will improve as the general social situation in villages will get better for all inhabitants. Secure tenure, property rights, and entitlements over natural resources will be secured for the weaker ethnic group of Roma where possible.

With the assistance of the state and municipalities, people from places endangered by adverse environmental conditions will be resettled to new social housing built on the principle of integration with the majority. Programs and projects focused on both the minority and majority population in the villages will create an enabling environment for positive affirmation of the Roma, their involvement in the decision making and management of the villages (including management of natural resources). The state and external agencies will secure adequate access of all to the new opportuni-

¹²¹ See case study of Svinia village where non-Roma effectively blocked a Roma housing project (described in Scheffel 2005).

ties. Empowerment of Roma ethnic minority will reinforce these approaches. Environmental protection, landscape management, and green technologies will add to the region's income opportunities and provide common ground for cooperation between the minority and majority. Enhancement, empowerment, and involvement of Roma will prevent any future cases of environmental injustice or beyond the pale syndrome.

Will utopia be possible? Maybe in some places and to some extent. The problem is that the existing situation and trends increasingly resemble the doom scenario more than the optimistic one. The situation of Roma and other people with lower education and income is constantly deteriorating. In addition, economic crisis and austerity measures do not support any optimistic forecasts. Roma are in a sense an indicator of what might soon become a much broader phenomenon and they can be compared to a canary stuck in a coalmine. The canary is not in a good position and his prospects are dark, which opens much complicated question of future of not only this ethnic minority, but more generally people at the margins. Yet it is not the purpose of this book to analyze the deeper causes and problems of the crisis of contemporary capitalism and its alternatives (or is there no alternative?).

Let's stay on the local (micro-level) and outline some of the factors forming the daily life of the majority as well as the minority population and see if there is a shift possible from the doom scenario toward optimism. It is important for the formulation of policies, programs, and projects to contribute to the development of a more desirable future.

Some steps are relatively simple to implement; others require a longer time, preparation, and complicated implementation. The suggestions and recommendations provided in the following section are divided into short-term measures (where immediate action is needed and possible for people endangered by environmental conditions), and long-term measures to prevent the creation of environmental injustice patterns by changing the macro- and micro-level of policies, programs, and projects to contribute to a general environment enabling cooperation and development in the villages.

Short-term Measures: The Key Challenge of Housing

Every day there is a danger that some of the houses in Rudňany will disappear in a landslide or that some of the Roma children in Hermanovce will get sick because of the water quality. Reassessment of the budget priorities at the central (state) and local (municipal) levels is important.

People need immediate support with resettlement or with preventive measures decreasing the environmental risks they face. Anti-flood measures and construction of water pipelines and access to potable water have to be supported by the central government and EU funds might play an important role in this. There are several measures that have to be carried out urgently:

- Accelerate resettling of people from the settlements exposed to toxic substances and floods;
- Address the creation of the beyond the pale syndrome through better monitoring of waste management practices and better involvement of the affected people in decision making;
- Start environmental monitoring through the government and its agencies in all settlements and identify those that are problematic from an environmental perspective;
- Begin or accelerate construction of new water supply and sewage infrastructure focusing specifically on settlements with poor water quality or limited access to potable water;
- Continue and accelerate construction of public housing, done in the integration way and taking into consideration the social status of the inhabitants (e.g., looking for alternative housing projects involving energy-efficient, environmentally friendly technologies for construction and heating).

The situation in settlements endangered by adverse environmental conditions must take priority on the agenda, and the government—in cooperation with municipalities—must play the key role in this respect. Environmental conditions in many of the settlements identified (and most probably many others waiting to be mapped and analyzed) qualify to be described as an emergency situation that requires immediate action. The allocation of financial resources for the construction of public housing for people identified in this book as directly endangered by toxic exposure would not cost more than a kilometer or two of new highway.¹²²

Access to water may be solved by technical solutions (e.g., construction of a water supply), but it is possible that in a few years the same peo-

¹²² One kilometer of highway in Slovakia costs €12.5 million. For resettlement of the remaining families from Rudňany-Patoracke, the local municipality would need approximately €110,000. For the cost of the highways see <http://www.euractiv.sk/cl/119/2776/Slovensko-ma-najdrahsie-dialnice>.

ple (unemployed and marginalized as they are now) will lose access to water again. The reason is simple. Water companies will cut them off because they will not be able to pay for water.¹²³

Environmental injustice is an outcome of complicated processes lasting for decades or even centuries, and it is therefore naive to think that fast solutions may bring lasting results if they are not part of broader concepts and policies for addressing the problem of Roma shantytowns in a complex way (e.g., resettlement without integration might contribute to the creation of new shantytowns, as in fact happening in places described). Policies and measures focused on long-term perspectives must therefore support immediate steps for addressing environmental injustice.

The key challenge in the short- and mid-term planning is housing. The new social houses that contribute to segregation, and without work and without access to different coping strategies will lead to new ghettos. What is even worse, eventually the expanding population of young Roma will start shantytown construction again, most likely in the very same places abandoned by their parents. The resettlement program needs careful design and help to integrate the Roma minority in the villages and prevent the beyond the pale syndrome by mutual cooperation.

The program should also focus on the construction of ecologically sound houses utilizing environmentally friendly technologies and renewable energy for generating energy. However, as housing planning described in this book (e.g., in Letanovce or Sabinov) illustrates, resettlement is sometimes seen as a way to further segregate Roma from the villages. The plan is to find new places as distant from the main village as possible. Fossil fuels or even electricity is planned for heating in the houses, while it is doubtful that the new tenants will be able to pay for these utilities. Poverty and lack of resources might even prevent Roma from moving into the new places. It is at last cheaper to live in an illegal hut, without rent and without access to water or sewage when you have no money to pay for it.

An example from Sečovce serves as an illustration. The Roma settlement on the outskirts of the city provides housing in urban-ghetto style for approximately 1,000 Roma, of which 90 percent are unemployed and the total income of these families was in 2005 on average about SKK 5,000 (approximately €125) per month, including all social allowances and assistance checks. In the same year the municipality provided the families

¹²³ This was the case of Roma in Trebisov in the summer of 2004, in Košice in 2005 and 2006, and in many other Roma settlements.

with twenty new apartments, but the Roma refused to rent them, despite very bad conditions in their old houses. Utilities and rent in these new houses cost as much as their total monthly income, and paying for public housing would leave these families with no money.

The question is how to make public housing affordable for low-income individuals; the environment might be part of the solution. In 2004, the NGO Letanovsky Mlyn organized brainstorming focused on the community planning project among the Roma from Letanovce about how they envisioned their new houses. They invited architects and presented the results. The discussion revealed very different perspectives on an optimal house. In the original plan, the new public houses were planned to use electric energy for heating. This is not only problematic from an environmental perspective (electric heating is the most environmentally unfriendly utilization of energy), but it is also extremely expensive, and due to liberalization of market prices of electricity, heating will not be affordable for the Roma.

If Roma are moved into new houses with electric heating and they remain unemployed, the result could be that eventually they will return to their old places or start to use firewood in houses which are not designed for it. Paradoxically, new social reforms and liberalization of prices of energy and utilities will least impact most residents of the Roma shantytowns, who do not pay rent, share wells or a limited number of water taps, and use timber and waste for heating. Mostly affected will be those members of the community who have been trying to assimilate into society in cities and villages, who are not able to pay any more for increasing cost of utilities and are now pushed back to shantytowns.

Simple resettlement of Roma affected by adverse environmental conditions is not a solution on its own. Resettlement should follow principles of social integration, instead of further segregation. Part of the solution could be careful energy planning in the housing construction and development of passive and energy-efficient houses heated, for instance, by biomass from local sources. Simple solar panels for water heating and biomass boilers could, besides cheap energy, provide additional construction, maintenance and supply work opportunities for the local people.

The problem is that local municipalities usually do not have information on alternative solutions and they prefer traditional approaches to housing construction promoted by developers and construction companies. There is also no legal framework or conditions on the state aid that would support social integration through housing built on environmentally friendly and cheap energy technologies. Development of standards, norms

and implementation of socially integrating and environmentally friendly construction practices would require substantial efforts of NGOs, local and regional municipalities and, experts. The first step could be a firm legislative framework on the national level. The EU social cohesion policies, together with energy policies could be a strong inspiration and driver in this respect, if coordinated with national, regional, and local planning.

Long-term Opportunities: What is Environmental is Also Economic and Social

Slovakia—as part of the former Czechoslovakia—formally agreed and became a signatory to international conventions on human rights (e.g., UN Universal Declaration of Human Rights). A crucial problem remains in implementation. Despite the formal proclamations, human rights were systematically abused. After the 1990s transition, the situation significantly improved for the majority of the population. However, there are persistent problems with securing rights of minorities and especially the Roma minority. Infringements are sometimes even more severe than during the former regime.¹²⁴ We have to see the question of human rights in a broader context than it is usually protracted in the mainstream political discourse—in the context of its social and environmental dimensions. Such a general framework of human rights could help us in seeing environmental justice as a cross-cutting issue.

Long-term opportunities thus refer here to a general shift from perception of the Roma problem as a problem of individual failures to the Roma problem as a structural issue and inevitable part of the development policies. Approaches to addressing the roots of environmental justice can vary from social integration of the marginalized groups to their empowerment on the local level. The focus is on natural resource utilization and the environmental management as the opportunities to meet these goals. It can be modeled around nine recommended shifts in approach:

1. From general reforms of the economic framework and social assistance to targeted measures and approaches and a stronger state for local empowering action;

¹²⁴ In August 2006 members of local councils in Vyšný Kazimír prohibited Roma from swimming at a local lake. Several local councils in Eastern Slovakia (e.g., Spisský Štvrtok, Nagov) tried to limit free movement of Roma during the evening and night within the village.

2. From homeless strangers to stakeholders;
3. From “marginalized people as part of the problem” to “marginalized people as part of the solution;”
4. From the environment as a source of ad hoc income to the environment as an income and employment generator;
5. From “planning for the people” to “planning with the people;”
6. From competition to collaboration and reinforcing the majority and minority ties;
7. From ad hoc projects to systematic and state-backed approaches to the marginalized communities;
8. From separate tracks of poverty alleviation and environmental protection to addressing poverty through environmental management and addressing environmental injustice through poverty alleviation;
9. From addressing symptoms of environmental injustice to addressing the roots of unequal treatment.

These shifts are summarized in Annex 1 and are used as the leitmotif in the discussion of the long-term measures needed for addressing the broader context and structural conditions enabling environmental injustice. The environment is not discussed here as the primary factor, but rather as an opportunity for development of both Roma and non-Roma communities to build mutual cooperation and provide employment opportunities.

The macro-level refers to the strategies, policies, and institutional arrangements operating on the national level. They shape opportunities but also impose constraints on the village and community (micro) level. As I discussed above, different impacts of economic and social reforms after the start of the transition in the beginning of the 1990s and the general framework of economic, social, and environmental policies is crucial for the creation of enabling conditions for environmental injustice on the local level.

Decentralization, which shifts a substantial amount of the decision-making power to the local level, may turn out to be a new tool in the competition. From the perspective of the marginalized communities it may prove to be positive as well as negative in its outcomes. It is therefore crucial to carefully evaluate its impacts, while improve general awareness, legal consciousness about human rights and especially about their accountability and implementation among populations. The important question is also where is the limit of this process? Is it really positive step to put responsibility for elementary schools or social welfare distribution to

the hands of the (often) biased municipalities under control of non-Roma? Last but not least, it is important to accompany decentralization in Slovakia with substantial control measures, and to promote affirmative action as a measure for involvement of the Roma in the society.

The well-designed policy framework that reflects micro-level conditions might provide a background for changes in the vulnerability of different social and ethnic groups to the unequal distribution of environmental benefits and harm, and for addressing cases of unequal treatment. The key areas where the macro-level plays an important role in supporting or weakening development of marginalized groups are economic and social policies (in their broad interlinks with environmental policies).

Economic and social policies are significant factors in increasing or decreasing the vulnerability of communities and access to environmental benefits and harm. The Slovak reforms with respect to poverty alleviation between 1998 and 2011 were built on three basic premises. First, the increase in inequalities is normal and will decrease with economic growth.¹²⁵ Second, massive tax cuts and labor code reform focused on flexibility and decreasing social protection of employees as a barrier to help domestic companies and attract foreign companies, which will start economic growth which in turn will reduce poverty. Finally, decreased social assistance will push people back to employment and further accelerate economic growth (i.e., decreased time when benefits from the growth will reach those living in poverty).

As the result of this focus, the state administration concentrated on decreasing public spending and social programs, increasing direct and indirect subsidies for foreign companies and cutting corporate taxes and abandoning progressive taxation. Less taxes means less money in the budget and further pressure on decreasing of the public expenditures. The 2008 global crisis and the 2012 EU budget compact imposing strong financial discipline on Slovakia further accelerated call for austerity measures.

The deterioration of the economic situation (especially of the marginalized groups) was reformulated as a temporary phenomenon or personal failure. Paradoxically, while economy grew, poverty increased. These trends affirm foreign experiences and concerns. Whether (and if so, then

¹²⁵ The first premise (decrease of inequalities) is in line with Kuznetz's theory. According to Kuznetz (1995), economic inequality increases during an economic takeoff, but inequality declines after economic growth reaches a certain level.

how much) economic growth eliminates absolute poverty is a serious question not limited to social scientists (Betancur and Gills 1993; Giddens 1993). The Slovak economy has had rather good performance in the 2000s. In 2007, the Slovak Republic reached the highest economic growth among the members of the Organisation for Economic Co-operation and Development (OECD) and the EU. It was 10.4 percent at constant prices. In 2008 it was 6.2 percent, then 4.7 percent in 2009, replaced again by a positive number of 4.1 percent in 2010.¹²⁶ However, empirical evidence shows that poverty and social exclusion since the start of the radical reforms has been gradually worsened among low-income households (Gerbery et al. 2011).

Polarization and inequalities in Slovakia (besides increasing disparities among individuals) also have a regional character. The economic growth and social situation of marginalized groups and especially Roma is worsening and regional disparities are growing.¹²⁷

At the same time, poverty is still generally interpreted by the mainstream think tanks and the government as individual failure and a reluctance to find employment. The state government claimed that social assistance reform will push the people into the job market and foreign investors would provide job opportunities. They did not take into account that these opportunities are open to very few people from the marginalized regions and communities, and that for many of them reform would only deepen their social exclusion e.g., while foreign investment (the main source of the economic growth in the past years) is concentrated in the western part of the country, the most problematic shantytowns are in the eastern part. Moreover, the employment opportunities in newly built factories usually require at least secondary education.

The economic and social policies based on these three premises have directly influenced the situation of marginalized groups. The idea of diminishing social redistribution might prove to be dangerous for the country in the long run. Neo-liberal reviews of the redistribution of the benefits from growth, based on premises that redistribution only creates assistance dependence, might prove to be false (George 1997; Lindert 2004). The

¹²⁶ OECD Economic Surveys: Slovak Republic, November 2010, <http://www.oecd.org/dataoecd/4/8/46478358.pdf>.

¹²⁷ Real wages decreased by 0.6 percent between 2002 and 2005. Regional disparities are growing and districts in Central and Eastern Slovakia have reached unemployment close to 30 percent (e.g., Rimavska Sobota 29.9%), while in the capital city, Bratislava, it is only 3.2 percent. Average salaries in Bratislava are 138 percent of the average compared to 75 percent in Prešov County.

welfare state was relatively successful in poverty alleviation and income equality promotion while maintaining economic growth. Based on his extensive studies of OECD economies, Lindert (2004) concluded that there is no evidence that transferring a larger share of GDP from taxpayers to transfer recipients has a negative correlation with either the level or the rate of growth of GDP per person. According to his work, the average correlation is essentially zero or even positive.

Restricted social policies leading to exclusion instead of inclusion and to worsening instead of improving the situation of marginalized groups endangers people. It undermines the social mobility, deteriorates their social situation, and limits opportunities to protect themselves against unequal treatment. Environmental injustice may be one of the possible outcomes of these factors with beyond the pale places vulnerable to the problematic investment.

Any long-term measures supporting marginalized communities and addressing environmental justice would therefore inevitably need to take into account the following areas: (i) reconsider the basic principles of the economic and social policies toward a system of redistribution and support of social inclusion instead of exclusion; (ii) support measures like education, capacity development, and skills building instead of focusing solely on infrastructure development; (iii) use the EU concept of economic and social cohesion and leverage for development of best practices and approaches in Slovakia,¹²⁸ and (iv) analyze and build connections among the environmental, social, and economic objectives.

Agyeman and Evans (2004) claim that environmental justice can be viewed as having two distinct but interrelated dimensions. At the local and activist level it is predominantly a vocabulary for political opportunity, mobilization, and action. At the same time, at the government level, it is a policy principle that no public action will disproportionately disadvantage any particular social or ethnic group.

These policy principles are very important. Cases of environmental injustice identified throughout this book point to serious discrepancies between the formal legal framework of human rights (e.g., a right to a healthy environment as declared by the Slovak Constitution) and their implementation. It is apparent in the case of the marginalized communities that the formal declaration of legal principles is insufficient for addressing the roots and effects of the unequal share of adverse environmental impacts. It is equally important to consider how the legal frame-

¹²⁸ See Filčák (2003).

work is used in concrete situations and what the principles are in its implementation.

The shift from “formal” rights to real ones requires good policy and a legislative framework on the state level and, most of all, their unbiased implementation. The state is often considered an obsolete player by mainstream media or NGO activists. It is defined as corrupt, bureaucratic, trouble making, and expensive. The popular opinion is that the decision making should stay at the local level, which is considered moral and closer to the problems. I tend to disagree with the call for a weaker state and transfer of some of the powers to local levels. As Friedmann (1992) puts it: “Local empowering action requires a strong state.”

The role of the state and its institutions is irreplaceable. Leaving the addressing of environmental injustice cases, their roots and origins of unequal treatment to the biased local municipalities with limited resources delays (or prevents) addressing the problem. It is unfair toward the people who live now in the present situation. It also further diminishes the chances of future generations for a decent life. The case of decentralization in Slovakia illustrates how striking the difference between legislative intentions and real implementation might be. Delegation of power to the local municipalities without control mechanisms and effective participation of the marginalized minorities (e.g., Roma) in the decision-making process have contributed to further exclusion and further marginalization on the local level.

The state must play a strong role in implementation of the legislation and in the creation of an enabling environment for minority involvement and protection. This could take the form of better control of law enforcement, capacity building, and development of local actors, and supporting progressive approaches to the empowerment and involvement of marginalized communities.

External agencies (e.g., NGOs and development agencies) could bring important energy, know-how, and cofinancing, but they will fail to develop long-term effects if their efforts are not harmonized and supported by government policies. The objective should be to support Roma communities with legal protection, development programs and projects, while at the same time developing capacities of the communities to participate effectively in the management of their lives, help them to mobilize against the inequalities and discrimination and enabling them to take part in decision making on the local level.

Environmental measures or projects could provide badly needed ground for cooperation and development. On the one hand, environmental

policies and legislation are often attacked by critics as an obstacle to economic development and a bottleneck delaying or blocking growth.¹²⁹ On the other hand, environmentalists sometimes criticize environmental policies as “green-washing” because they rarely address the core of the environmental problems (e.g., current patterns of industrial production and consumption). Nevertheless, there is one aspect of these policies that is important for social development and thus addressing environmental injustice. It is the contribution of environmental policies to the improvement of the situation of marginalized people.

This aspect is more evident when we assess the contribution of the newly adopted *acquis* of the European Union in Slovakia. The country has been forced by the obligations arising from membership in the EU to rapidly adopt and implement, among others, the Water Framework Directive, the Drinking Water Directive, the Urban Waste Waters Treatment Directive, the Nitrate Directive, and European waste policies.¹³⁰ All of these require a substantial amount of investment for implementation. Investment in the environmental infrastructure and implementation of the common environmental policy is supported throughout the EU territory by assistance from the structural and cohesion funds. In this way, the policy of economic cohesion is also helping to improve environmental standards and the quality of the environment in the regions lagging behind.

More developed countries have already invested in the environmental infrastructure and through their contribution to the structural and cohesion fund they support the introduction of the same standards across the European Union. The cohesion countries thus benefit from the environmental policy. These benefits can be in the form of health impacts, protection of natural resources, or job creation.

Environmental protection measures tend to benefit employment. New projects bring jobs into the communities, and provide a forum for participation in society. A better environment boosts development of the tourist industry. Another important aspect is that fulfillment of water directives gradually enables some of the marginalized communities to have access to potable water and sanitation.¹³¹ In this way, environmental policies provide

¹²⁹ The Ministry of Economy of the Slovak Republic established a committee for reassessment of the network of protected areas in Slovakia in 2004, based on the claim that the level of nature protection is above international standards and it effectively blocks development of the tourist industry in the country.

¹³⁰ For more information see Barnes and Barnes (1999).

¹³¹ Though there would still be the issue of whether people could afford to pay in the long run.

an important macro-level factor for addressing some of the problems of marginalized communities and could be a positive factor in their development. Focusing on the implementation of the EU environmental *acquis* is therefore an important step forward in addressing the roots of environmental injustice and individual cases. The next step should be development of Slovakia's own policy measures building on the European framework and linking these measures with pro-jobs creation policies. Decentralized and low-profile green employment opportunities could provide an important stimulus for the marginalized communities development.

Green Employment

As I described in the case studies, employment of the people from marginalized communities is a central theme in their social development, and thus (indirectly) in tackling cases of environmental injustice through strengthening the disadvantaged group. It is the most basic condition for building their dignity, providing them with income and opportunities for a decent life. The environment and natural resources may become an important source of employment, provided they are created in line with sustainable development principles. The employment strategies should focus on synergies among environmental protection, exploitation of natural resources, and poverty alleviation.

Green jobs are defined here as employment opportunities in environmental protection, management of natural resources, and in the introduction of environmental technologies, which have neutral or positive impacts on natural resources' conservation and nature protection. The key challenge would be to change the environment into a legal and sustainable source of work and income opportunities. Three factors are relevant in this respect: opportunities in rural areas with a Roma population; the role of the state in supporting employment generation; and institutional support of the marginalized peoples' involvement in the job market.

Resource management (e.g., in landscape management or management of protected areas), industry and agriculture (e.g., energy efficiency, production of energy from renewable resources or organic farming) could generate many opportunities and contribute to local development, especially in backward rural regions.¹³² Management and implementation of

¹³² According to the 2004 World Wildlife Fund study "Ending Wasteful Energy Use in Central and Eastern Europe," in Slovakia selected energy efficiency measures alone could create up to 10,000 new jobs, many of them for low-skilled workers.

anti-flood measures could also provide work and income for the marginalized people in Roma communities. Alternatives are already available. An interview with KM, an NGO project manager, supports this point:

We did a pilot project here [in Eastern Slovakia] where we just made terrain drainage and influenced retention and absorption capacities of slopes above the rivers. The costs are minimal and you can involve many unemployed people from the villages. Floods are prevented there much better than in the Svinka River area, where they created concrete toboggans for the water which later floods areas downstream. These guys [government and firms] probably want to pave the rivers from here to the Black Sea. It is huge business for them.

There is growing evidence and examples that environmental protection and shifts in production and consumption patterns could bring higher employment and opportunities for community development.¹³³

According to an ECOTEC study (2001) direct employment in the EU in ecoindustries amounts to over 2 million jobs—around 1.5 million jobs for pollution management and 650,000 for resource management. The total employment generated by the demand for environmental goods and services is at least 2.6 million jobs (the high-end estimation is about 4 million) taking into account indirect effects¹³⁴ on the rest of the economy.

Another study claims that around 6 percent of work in the EU can be defined as green jobs (GHK 2007). The European Commission states that to reach 20 percent target in energy from renewable sources by 2020 will mean 2.8 million of new labor opportunities (EC 2010). A study by the Slovak Institute for Work and Family Research calculated that in 1999 and 2000 as many as 25,000 people found jobs in the sector of environmental services and goods (IWFR 2010: 9). Although we have to take into account that green jobs are sometimes substitution, or even elimination of the jobs in traditional industries and services, the overall contribution of the sector is positive (Angelov and Johansson 2011; Bezdek et al. 2008;

¹³³ See, for instance, 1998 European Council Employment Guidelines (Council Resolution of December 15, 1997), highlighting the need to exploit the job creation potential in new activities such as those in the environment sector and to reduce the tax burden on labor, e.g. by shifting the tax to energy and environmental pollutants. Another example is “Scotland: Towards a Green Jobs Strategy—Opportunities for Business Consultation,” available at: <http://www.scotland.gov.uk/consultations/environment/tgjsc-00.asp>.

¹³⁴ According to the ECOTEC 2011 study, these indirect jobs include, for example, jobs in supplying electricity to the ecoindustry, as well as jobs in a range of other industries that supply (non-environmental) goods and services to ensure that the environmental infrastructure remains fully operational (e.g., maintenance firms).

GHK 2007). Table 9 presents sectors of the economy with the potential to generate environment-related employment opportunities.

Table 9. Environmental sectors comprising an ecomarket with employment opportunities

Ecosector of the economy	Sub-sector
Pollution management*	Air pollution control Waste water treatment Waste management Remediation and clean-up of soil & groundwater Noise and vibration control Environmental monitoring & instrumentation Environmental research & development Public environmental administration Private environmental management
Resource management	Nature protection Landscape management & anti-flood protection Water supply Materials recycling
Energy management	Energy efficiency Renewable energy
Agriculture and farming	Organic agriculture Agro-tourism
Tourist industry	Soft and ecotourism

* Data from ECOTEC 2001 are used for this section.

The adopted EU legislation in pollution prevention or waste management could speed up the process of creating these opportunities in Slovakia. However, there must be a balance between green jobs' creation and environmental sustainability. For instance, biomass projects for energy production from the wooden chips and various wood waste from the timber industry could be beneficial if implemented in a sustainable way and do not lead to overexploitation of the natural resources.

Another important issue is the quality of the jobs. As is shown from Table 9, the variety of green jobs is rather wide. As Angelov and Johansson (2011: 252) point out, these jobs tend to occupy either high-tech spectrum or low-skills spectrum of the job market. From the perspective of addressing marginalized communities, the most important segment are for those

low-skill workers. Experience shows that especially waste management could be a very important area.¹³⁵ However, there are two aspects to be considered with respect to the Roma minority. This occupation is stigmatized and may reinforce prejudices against Roma. The second problem is that the recycling business is increasingly dominated by larger companies led by non-Roma, which might follow patterns of other employers in the area and discriminate against Roma in the hiring process. Given the social situation of Roma (lack of financial capital to open businesses, no positive credit history for loans, real estate for mortgages, etc.) it is highly improbable that they could start such activities on their own without external assistance.

The role of the state is crucial. Besides setting the legislative framework for promotion of green employment opportunities (e.g., tax incentives or subsidies) it has other important tools. It could develop strategic guidelines, take the lead in their implementation, and integrate a green employment perspective into sectoral plans and policies. Development of a long-term strategy for green jobs could be the first step. Such a strategy may bring together those who can create innovative new products and services based on natural resource savings and alterations with those who understand how best to market them and turn them into business opportunities. Besides vision, the strategy could have practical implications for other sectoral policies and guide reform of the agricultural policy or support development of a new energy bill that would be more favorable for the promotion of energy from renewable resources.

Strategies and policies supported by financial instruments from the domestic budget and structural funds of the EU could create an enabling environment and prompt actions on different levels. It could lead to a better integration of synergies between the environment and employment into decision making. Such policy integration is needed from the top level of governmental subsidies for organic farmers with labor intensive but environmentally friendly production to practical decisions on housing construction (for instance in Letanovce or in Rudňany) employing energy efficient constructions and biomass heating.

¹³⁵ A good example of joining economic, environmental, and social goals is the Re-use and Recycling European Union Social Enterprises (RREUSE), which is a network of national and social economy federations with activities in re-use and recycling. The member organizations of RREUSE operate in labor-intensive and low profit activity that is of little interest to the private sector but important environmentally and has brought back around 40,000 people into the labor force.

Investment in new economic activities and affiliated new employment opportunities will have little impact on marginalized groups unless formal and informal institutions are in place to ensure their ability to engage in these opportunities. Otherwise we may face a situation where development projects (e.g., green employment) will not reach those who need them most, simply because they will not penetrate the wall of social exclusion and racial prejudices. Big challenge and opportunity could be affirmative action and establishment of a quota for Roma employment in forest management, protected areas and natural parks protection, or landscape management, which would enable Roma to utilize these opportunities so far closed to them.

Creation of small and medium enterprises or cooperatives combined with economic incentives to employ marginalized people could facilitate the integration of Roma into society, their empowerment and capacity development. In the end this would contribute to a more equal distribution of environmental benefits and harm. However, to ensure employment of Roma, the state and external agencies will need to create a system of positive affirmation. Tax incentives, guaranteed loans or grants could be provided on condition of employing a certain percentage of marginalized people. A new modified activation policy mechanism might be developed and implemented. There are many alternative ways to do this, yet first there is a need for consensus and political will.

For instance, the concept of payment for environmental services (PES) is an innovative way to provide incentives for better management of natural resources, improve livelihoods for the rural poor, and set up a framework for sustainable financing of protected areas and landscape management. The basic principle is that those who provide environmental services should be compensated or paid for doing so. This is achieved through a variety of arrangements that transfer rewards from those who benefit from an environmental service to those who conserve, restore, and manage the natural ecosystems that provide it (Wunder 2005).

PES may have a variety of forms and include different agencies (e.g., business, NGOs, governments), but the principal idea is to create a scheme whereby local communities, farmers, or land use managers are paid for the services they deliver for a broader community of people. Two criteria essential for the establishment of a PES program are well defined questions whom to pay and for what and the magnitude of the payments (Alix-Garcia et al. 2004). There are many examples of working schemes from China, the United States, Australia, Brazil, and Colombia (WRI 2005; WWF 2006). Some examples include:

- Carbon sequestration—carbon polluting companies pay for tree planting and forest conservation at home country or abroad;
- Watershed management—lower watershed users pay communities upstream for good land use management practices, supplying them with a sufficient amount of fresh water, or protecting them from the floods (e.g., communities or industry downstream can be involved);
- Conservation of biodiversity—companies, governments, NGOs, or consumers pay directly for conservation activities or production of goods in a way that does not damage biodiversity.

There are many ideas on how to generate employment, while protecting the nature. Some are relatively simple, some are more difficult to implement. It requires a general policy framework and enabling environment, sometimes willingness to pay and sell, minimal transaction costs, defined property rights and, most of all, involved stakeholders and energy for the start-up. Given the fact that many villages are located in the upstream watershed areas, often on the border of natural parks and protected areas, with potential for biomass and other renewable energy production, there is a substantial space for green jobs generation. If well developed and managed, they could be common ground for cooperation between Roma and non-Roma and improve the social situation of both groups.

From Entitlements and Involvement into Development

Entitlements are a strong driver of community development: they are assets, helping communities and individuals. Those who control resources in a village or town, enhance their capabilities and social networks. Those who are excluded from these entitlements are restricted in their development of capabilities and may experience a weaker position in society.

The unequal distribution of environmental benefits and risks needs to be analysed within a framework of deeper social processes and mechanisms causing the differentiated treatment. Focus is on the question of “why” these trends arise. Although non-Roma and Roma have some form of “internal” governance present, their resources and power are not equal and the stronger group takes over local governance structures, thus dominating the entitlements distribution. When it comes to decision making at a local level, a stronger group (i.e., non-Roma) may mobilize its economic power and social capital and make (or influence) decisions to benefit themselves. This leads to the development of a privatized, exclusionist

style of governance that fails to reflect diverse values and interests, while proving discriminatory to others. Cases of environmental (in)justice identified in this book, are to a substantial extent, a result of local power struggles and competition. Entitlements over resources are subject to political, economic and social clashes within communities, and the stronger groups (in numbers and/or economically) may manipulate the distribution (or non distribution) in their favor. Limited access to environmentally safe land for settlement is the result of people generally not having access to land, rather than there not being enough suitable land.

As we have seen, Roma are often newcomers to villages with practically no resources to buy land. They were allowed to settle in places allocated firstly by nobility, landlords, and later by the non-Roma majority and local municipalities. We discussed, that location of the settlements is a result of complicated social processes shaped by ethnic discrimination, economic power and interests.

Dynamics of the process and trends in the entitlements distribution are important. I illustrated on concrete examples how the changing social and economic context and shifts in land value influence their distribution leading sometimes to cases of environmental injustice. The alarming trend seems to be the use of entitlements for further spatial segregation of the Roma and the building of new and extended barriers between the majority and minority population. On the other hand, there is also potential for positive changes building on the entitlements reformulation and reallocation (e.g., in the housing projects).

The way people and social groups approach distribution and how they control entitlements depend on a broader context of economic and social interests and in a deeper understanding of morals, values and perceptions. The question arising is not only how to redistribute entitlements and address cases of environmental (in)justice: we have to see from the perspective of obligations and duties. In other words, those who control entitlements should also have the responsibility to use them for sustainable management of natural resources and for non-discriminatory practice in the distribution of environmental benefits and risks.

Roma in marginalized settlements need a chance to develop their capacities and manage their own lives. People living in rural areas have more direct connections with the surrounding environment than those living in the cities. They have a strong interest in protecting and managing rather than destroying their physical surroundings—provided they have certain entitlements over the natural resources, and possess capacities, knowledge, know-how, and access to decision making.

In this way we need to see entitlements not just as part of the problem, but also as part of the solution. Not simply addressing environmental justice through a reallocation of entitlements and rights to individuals, but we need to see the broader perspective, also encompassing respect of others, obligations, duties and responsibility. Mark Smith and Piya Pangsapa (2008) call this circuits of justice, or in other words spaces in which new configurations of entitlements and obligations are constructed through discourses and accepted praxis.

As I documented and described in this book, Roma are rarely owners of productive land or forests. They are often excluded from management of natural resources or natural resources managed by the state or municipalities. The majority does not consider them members of the wider community and they treat them as intruders or strangers in the villages.

One of the most important conditions for achieving long-term sustainable use of natural resources (and securing equal access to the resources) would therefore be in assuring the right of the poor to access natural resources through enhancing their entitlement. They define the foundations for resource utilization and management. The aim should be to involve the Roma population in society and enable them to co-manage and co-share responsibilities. This would contribute to the elimination of the current situation where Roma are not considered part of the community and where Roma do not feel any sense of responsibility for taking care of the surrounding natural environment, which is often considered to belong to the non-Roma majority.

Roma houses and shantytowns are often located on land owned by the state, municipality, or unknown owners. In the process of transformation at the beginning of the 1990s, Roma were—due to the cost and complexity of the process—unable to gain property rights over the land on which they lived.¹³⁶ This limits their possibility to sell or exchange it. It has also diminished their chances for resettlement and leaves them stuck in places of current residency. The government should give these people a second chance to formalize their ownership rights, but this time with the help of the state administration and external agencies.

There are several ways to enhance entitlements among marginalized communities. As an illustration, I take the latent conflict between Slovak National Park authorities and people from settlements surrounding some of these parks. Roma from the marginalized settlement of Letanovce live in the buffer zone of Slovensky Raj National Park. Their main source of

¹³⁶ See Chapter 3.

energy for heating and cooking is firewood. The Romani are no longer allowed to collect firewood in the forest, a right they enjoyed until the Slovak government declared the area a national park.¹³⁷ Police patrolled the forests to stop Roma from collecting “kindling.” In the early 2000s, these patrols were replaced by the Roma civic guard (*obcianska straz*) project supported by local NGOs and park authorities. The idea is to involve Roma in the protecting of the national park against illegal logging.¹³⁸ The Roma were patrolling the park they were entrusted to protect and were given the opportunity to buy firewood from local authorities for a reasonable price. The project was built on a simple observation that without external intervention by the state and NGOs, the park might have ended up with irrecoverable environmental damage. Roma felt responsibility through reallocation of the entitlements and the project was a considerable success radically decreasing the scope of illegal logging and building collaboration between Roma and non-Roma. However, the local NGOs were not able to sustain the activity from volatile fundraising and grants from foundations and the state was not able to secure long-term sustainability of this approach. As soon as the project was over, the tree cutting increased again. Similar conflicts over the firewood are typical for most of the Roma settlements in Slovakia and there are dozens if not hundreds Roma serving their terms in jail for illegal logging. The experience points out that the entitlements reallocation cannot be temporary and ad-hoc project based. It needs more solid ground for long lasting changes.

Flood protection measures using local approaches and small-scale constructions could be another opportunity for empowering Roma through entitlements. There are two possible approaches to flood prevention in the Upper Svinka Watershed. The current approach is to address the problem of marginalized people exposed to floods through building concrete walls, deepening the riverbed, and constructing expensive anti-flood measures. An alternative approach could be based on involvement of the people in managing the stream. It would emphasize landscape management with labor-intensive anti-flood measures based on increasing the land’s natural retention capacity. These measures have the potential to be equally effective in flood prevention (Gayer et al. 2003; McCully 2001; WCD 2000).

¹³⁷ It has been a protected area since 1964 and a national park since 1988.

¹³⁸ For more information see, for instance, the 2002 article “Slovenský raj budú opäť strážiť Rómovia z Letanoviec” (Slovensky Raj will be protected by Roma from Letanovce), <http://www.mecem.sk/rpa/?id=search&lang=slovak&show=304>.

They could provide additional benefits to marginalized communities in the form of employment, capacity building, and empowerment.

Yet this change in attitude would require seeing the Roma problem in a broader perspective and would demand holistic approaches to the ways infrastructure is built, public money is spent, and the community is managed. The objective would be to involve community development as the cross-cutting issue in every decision of governance. For instance, waste management in a village could be seen as a burden and cost for the community, but it could also be seen as an employment generator and opportunity for creating new networks between the majority and minority.

Making the marginalized communities part of the solution would require empowerment of the people from the bottom-up through development of their capacities, while at the same time using any opportunity for their involvement in the management and development of the community. It is not enough to develop capacities of the people if they do not see a chance for employment, education, and a decent life. It is not enough to create a space for the people if they do not have at least basic capacities for involvement.

The first step could be entitlement broadening vis-à-vis introduction of alternative forms of ownership. As Gatzweiler and Hagedorn (2001) point out, governments can encourage the evolution of different forms of ownership, including local institutions that govern the use of natural resources, which are based on indigenous knowledge and local learning by doing.

The most visible example is forest management. First, because majority of forests in Slovakia is still state owned and managed. Second, because illegal logging is one of the most serious conflicts in the places with Roma shantytowns. There is substantial danger that privatization of the forests—as advocated by neo-liberal economics in Slovakia for already some two decades—will lead to open conflicts over the fuel wood.¹³⁹

Institutions stemming from local knowledge and experience are more likely to respond to the needs of users and match the ecosystem structures with appropriate governance structures than institutions imposed from the outside. As a practical recommendation, the government—in collaboration with development agencies and local NGOs—could support the set-up of cooperatives supported by marketing associations. The cooperatives could accumulate funds with the help of the state and microcredit pro-

¹³⁹ The most probable scenario is that the forest would be bought by financial corporations in a mass-scale privatization.

grams, invest in tools, and equipment and start small-scale business built on local opportunities provided by the environment.

Planning, Struggling, and Stakeholders

Access to natural resources and safe housing is affected by the strength or weakness of different groups in the villages, which in turn is influenced by pre-existing institutions, property rights, and entitlement distribution, ethnicity, and class. Access to natural resources is key factor enhancing, but also prohibiting, development of Roma communities and plays a substantial role in their exposure to adverse environmental impacts and access to environmental benefits. It is difficult to imagine progress at the local level without stakeholders' involvement and developing planning. The past and present experiences teach us, that the neo-liberal policies of free hand do not address problems of the marginalized people. On the contrary, they are part of the problem.

There are various approaches to community planning that involve the environmental dimension. Local Agenda 21 or Local Environmental Action Programmes are the most popular in Slovakia.¹⁴⁰ These tools have been implemented in partnerships between regional and national NGOs and the government on different levels. The 2004 accession to the EU made community planning more attractive for municipalities and villages, because it is essential for grant applications for cohesion funds. Many municipalities started with preparing of local plans of economic and social development.¹⁴¹

Although these plans are not primarily focused on the environment, they contain a strong environmental dimension and provide space for policy integration. Community planning is an opportunity for involvement of marginalized groups in decision making and addressing their problems. However, this is rather problematic when it comes to the involvement of Roma. Social exclusion from the village is again a barrier here. Attempts to embrace environmental sustainability with social and economic aspects of development are increasingly popular in the region in general and in Slovakia in particular. Yet marginalized groups rarely take part in this and

¹⁴⁰ LA 21 and LEAP are approaches that have also been successfully implemented in Eastern Europe. For more information on LA 21, see www.undp.sk/index.cfm?module=RSC&page=EnvG; for information on LEAP, see www.rec.org/REC/Programs/LocalInitiatives/LEAP/Default.html.

¹⁴¹ In Slovak: *Plan hospodarskeho a socialneho rozvoja*.

are tend to be treated as a special point in plans developed by others. Conversely, the capacity of Roma from segregated shantytowns to formulate and lobby for their interest is rather limited. The Roma communities often struggle to agree on people who should represent them.

People impacted by environmental injustice and by inequalities need to be part of the planning process, instead of being in the passive position of recipients of the plans. Community planning could provide vision and guidelines for addressing the roots, causes, and effects of environmental injustice. It is important to generate concentrated efforts of relevant stakeholders, including its victims, to meet this goal. However, it would require substantial capacity development of the Roma minority and intensive outside assistance to the community leaders.

Central government should require the involvement of marginalized groups (e.g., Roma) in the preparation of strategic documents, which will serve as the basis for the distribution of governmental and EU funds and subsidies. Local, national, and international NGOs and development agencies could help municipalities with training Roma and developing their capacities for active participation in the process.

Faster progress in addressing cases of environmental injustice and preventing new ones is hardly imaginable without intervention of the state, business, NGOs, and other external agencies. As Peterson (2007) points out, the political gains in favor of democracy, social justice, and more recently sustainability have been won by forms of social struggle against prevailing interests. External support from the state and non-state agencies is important to break the local power lock-in and to open the process of decision making. Spheres of participation need to be open also for the marginalized groups to deal with the spatial and social fissures.

Examples of environmental injustice and the resulting implications naturally lead to the question of what the potential implications of framing the cases of unequal distribution as environmental injustice would be. In the initial chapters of the book I described differentiated approaches to environmental justice in the United States and in the United Kingdom.

Environmental justice struggles in the United States are often led by people with no political organizing or activist experience. The activities are usually coordinated by local residents (often women)—the cases are framed as a local threat to their families, health, and communities. The target is usually narrowed to simple blocking of a problematic project or remediation of old environmental liabilities.

Quite differently, cases of community struggles for equal treatment in the distribution of environmental harm in the United Kingdom are usually

led by professional environmental organizations with highly educated staff with international expertise. They look at types, other than toxic waste, of unequal exposure to harm or access to environmental benefits, and the target is also to change macro-conditions (e.g., economic and social policies) enabling discrimination.

Given the present situation in the divided villages and different resources and capital of the competing groups, it is important to develop the connection between grassroots activism and science in addressing the case of environmental injustice. But in the situation where the grassroots is weak, outside assistance is crucial. Environmental justice research should therefore build more on the data collection and linking the Slovak cases with the experience in other countries and, through the network of professional environmental (and possibly other) organizations, build connections to academia and research. These data need to be reported back to the community and find its reflection in community planning and decision making.

There is hardly any possibility for substantial local progress without changing macro level framework of policies and attitudes. Policies, programs, and projects need to be focused on job creation, tackling problems of the discrimination and enhancement of the ethnic group of Roma, but this cannot be successfully done without working with the non-Roma majority.

The cases covered in this book reveal how important it is to build bridges between these two communities and how we cannot empower the minority without working with the majority population. Building of capacities—for both Roma and non-Roma—should be done through common projects and activities. For instance, development planning could be a successful tool only if it involves both sides. Work should be focused on integration and enable synergies instead of segregating the two groups.

The key concern is how to shift from separate tracks of poverty alleviation and environmental protection to addressing poverty through environmental management and addressing environmental injustice through poverty alleviation. Cases of environmental injustice are symptoms of marginalization, oppression, or ignorance. Enhancement of the entitlement, capacities, and skills of the marginalized groups vis-à-vis systematic work with the stronger group of non-Roma is therefore the key challenge in addressing the present and preventing future cases and changing structural conditions which enable them.

Environment is part of the problem, but it is also part of the solution. It acts as a limiting factor in community development while imposing an

additional burden on their health, financial resources, and well-being. But it could also provide opportunities and chances for people affected by environmental injustice or to those at the bottom of the society. The environment could provide jobs, enhance links and cooperation between the majority and minority through participation on the protection of natural resources, and provide a source of dignity and self-esteem for the people who protect and manage natural resources.

The problem is that environmental protection and poverty alleviation programs are often done in parallel by different people and agencies and for different target groups. Every plan or program for nature protection and natural resource management could start with a social assessment of what it could potentially bring to marginalized communities. Every social policy or project might consider how to use the environment as a source of factors that could contribute to the capacity development of people from the area. This shift would require better connections, contacts, and interactions between people framing social, economic, and environmental policies and between people working with the marginalized communities. Both the environment and the people could benefit from these interlinks. It would decrease pressure on the environment as an illegal source of income and it would help to include marginalized groups of the society.

Cases of environmental injustice could serve as the starting point for discussions on how to link poverty-reduction programs and projects with development planning, sound environmental policies, and environmental management. Environmental protection is a common ground where the interests of the poor and those who are better off can meet. There are opportunities to reduce poverty by improving the environment, but there are also deep and strong barriers in the form of institutional frameworks, needed resources, and missing capacities. A widespread change in approach would require the concentrated efforts of all involved stakeholders.

Living beyond the Pale? Challenges and Conclusions

For the poor, the environment represents yet another form of discrimination. Environmental risks and the distribution of adverse effects have a tendency to be imposed more on those who do not possess adequate resources for their own protection and are discriminated against because of their ethnic origin. Unequal exposure to risks and increased vulnerability, although case specific, often results from the general economic, social, and environmental conditions in the given country vis-à-vis governance at the local level.

Several questions were set forth at the beginning of the book. Can the situation in some of the Roma settlements be described as environmental injustice? If so, what are the types and scope of the unequal treatment, and what are the impacts on the affected communities? If there are inequalities, then why? What are the social processes associated with the unequal distribution of environmental benefits and harm? What steps can be taken to move toward a more just distribution of environmental benefits and harm?

Some of these questions are easier to answer than others. Out of the thirty randomly selected settlements as many as twenty-three experienced at least one of the four types of unequal treatment. The most prevalent one is unequal access to potable water. The case studies provide a better insight into the scope of the unequal treatment, and the impacts on the affected communities. They also help to reveal deeper social processes behind the distribution of environmental benefits and harm.

Four patterns of environmental injustice were developed and identified to support the argument, including exposure to hazardous waste and chemicals; differentiated vulnerability to floods; differentiated access to potable water; and discriminatory waste management practices. The Roma are not the only victims of the unequal distribution of environmental benefits and harm. Yet if you are Roma living in Eastern Slovakia, your chances of having a safe, clean, and healthy environment are lower than those of your non-Roma neighbors. If we look at the social and ethnic characteristics of the people affected by environmental injustice in more detail, we find that there are significant differences between the majority and minority population. Poverty and ethnic origin play the key role and Roma in Slovakia are the group where these inequalities are present. Although there are attempts to address cases of environmental justice, the problem lies in trends and the growing scope and complexity of life in marginalized settlements.

The former totalitarian regimes of Central and Eastern Europe were “overnight” transformed into capitalist economies—without any supportive structure or knowledge—how to counterbalance differentiated social impacts and protect interests of different social groups. The notion of governance has enriched the democratic ideal of wider participation in decision making, but it has yet to overcome the exclusion of the poor from meaningful political life.

Governance at the EU level has engaged social exclusion, environmental and ethnic minority issues through measures to build economic and social cohesion, European citizenship, and minority representation,

among other initiatives. Conversely, neo-liberal policies have hindered the EU's capacity to improve social justice and equality (Garcia 2006). This is the set up within which now national governments continue to struggle with economic and social welfare policies to address common problems of housing, unemployment, health care, and education.

How have all these trends affected the most marginalized Roma communities in the past decades? Rather negatively. Their life was not good before, but has become even worse with the political and economic transformation, austerity measures, and decommissioning of the welfare state. All these processes have had profound influence on the situation in the municipalities I surveyed for the environmental justice research and the outlook is rather pessimistic.

I perceive cases of environment injustice as the outcome of a deep social division in the villages, where through social processes the weaker group (Roma) is barred from access to natural resources and a better environment by the stronger group (non-Roma). The main motives influencing the decision of the majority toward selection of environmentally problematic places for the Roma settlements are economic factors (price of the land/real estate value, commercial potential); social factors (discrimination and prejudices reflected in segregation from the main village), and competition over access to resources. Environmental injustice is then a result of social dynamics on the local level, where state economic, social, and environmental policies and their enforcement (or lack of) create an enabling environment for discrimination.

Distribution of the environmental benefits and harms points to the problem of social and economic inequalities among people divided along ethnic lines. Governance has tendencies to be under control of the more powerful group in which different individuals are mandated to negotiate with each other to pursue strategies in the interest of the multiple groups within the body. It was like this under the former socialist state and it holds true under the current liberal capitalist regime.

The problem is that what we see here now are very different outcomes of processes that are meant to bring more power to the local level (i.e., decentralization), open space for public participation (i.e., civil society), and create entrepreneurial and competitive environment in local economies (i.e., liberalization and privatization). Comparing to official justification of these processes, outcomes are mixed and in the case of distribution of environmental benefits and harms they have often contributed to worsening of the situation rather than addressing the problem. Instead of participatory and open space there is creation of exclusionist structures pro-

protecting interests of the stronger stakeholders. Instead of integration there are strong tendencies for segregation and exclusion. Instead of entitlements redistribution and inclusion into management of natural resources, there is exclusion and stronger control.

Through the processes of decentralization, privatization, and empowerment of local elites Slovakia is moving toward the situation of a very formalized and exclusive participation in decision making in a system of community-based exclusionist form of governance focused on group interest of clan, ethnic, and family identification. In order to get legitimacy, it is protecting interests of the majority population, which are often different from the minority needs. These loyalties can also be created by protecting its members against perceived enemies among members of other social and ethnic groups. The new economic elites boosted by the privatization thus find new sources of legitimacy and support from the majority population by providing them with protection against the minority, which is stigmatized as violent and dangerous. This perception is backed by the perceived threat that Roma might use the mechanism of elections and overtake local municipalities as number of eligible voters of Roma origin grows.

At the same time, we have to see our problem in the context of economic and social trends. In the general framework of changing social and welfare policies, what becomes clear is what Pierre Bourdieu calls the conflict between the right and left hand of the state (1998:8). On the one hand, the state saves money on social protection, incentives, community workers, and development approaches. On the other hand, the state needs to invest into police and repression, which at the end may cost even more. In other words, the right hand of the state is being enhanced with oppressive apparatus and tools, while its left hand being weakened in its proven development potential.

The question arising is, if the economic system of the present liberal capitalism is able to generate enough employment opportunities, and create enough resources for cohesion policies which are already now too weak to narrow the gap between different social groups. Roma are increasingly perceived by the majority as "black passengers" in the social system. As the people consuming resources without generating them, who do not deserve any help and are lost for any meaningful development. In a way, they serve as artificial target for many non-Roma who are in rather similar deteriorating economic and social situation. It is easier to blame for their problems Roma, than to search for structural and complicated reasons behind.

The ongoing trends are reflected in further push for spatial segregation of the Roma communities. It appears that the unwritten conclusion in many Slovak villages is to divide non-Roma and Roma parts of the villages into separate administrative units and virtually leave the Roma on their own. Given the social and economic situation in the shantytowns, such approach inevitably leads to further ghettoization and beyond the pale syndrome.

There is no simple way to improve the situation of the marginalized people vis-à-vis environmental justice within the framework of the current economic and social trends. The general approach I offer in this book as a counterbalance to the current situation is based on decreasing of the unequal distribution of environmental benefits and harm through strengthening of the social and economic situation of people with high vulnerability. Strengthening human rights framework, enhancing social inclusion and anti-discrimination measures, together with better law enforcement and building capacities of the marginalized groups is the first step. It is questionable to what extent these approaches are in harmony with the mainstream direction of social policies, which are increasingly leaning toward blaming the victim philosophy. Yet we should not resign in our attempts.

The Roma minority is an indicator of how successful a society is in integrating marginalized communities and people, and to what extent we are able to recognize these people and involve them in the society. The minority is also an indicator of equality in the distribution of environmental benefits and harm.

The critical environmental situations in many Roma settlements cannot be viewed as ad hoc extreme situations, but rather as outcomes of social processes in the communities in a context of state policies. History matters, yet so do the current power relations on the local level and the policy framework in the country. At the same time, environmental injustice further deteriorates and weakens the social situation of the Roma through different costs and impacts associated with the unequal distribution of environmental dangers.

Searching for solutions and overcoming implementation barriers is a long-term process. To start, it is necessary to develop a better understanding of the economic and social policy impacts and how changes in the general characteristics of the welfare state do affect and will impact situation of the marginalized people. We still do not know much about the environmental values of Roma in shantytowns, their perception of the environment and interactions between man and nature. How they perceive environmental threats and what their environmental values are is impor-

tant to know for forming successful campaigns and lobbying for environmental justice and to avoid beyond the pale creation.

It is important to search for interlinks, explore the poverty-environment nexus, and ways how to address poverty through environmental management and the sustainable use of natural resources. Several opportunities for this were outlined in this book, but it would require further research to develop the best approaches and create an enabling policy and institutional environment.

Outlining and suggesting steps for a more just distribution of environmental benefits and harm is a more complicated question, especially in the generally adverse trends in the Roma situation. The key message is that the environment is not a solely negative factor in community development. It might also have positive functions in community strengthening and ethnic mobilization. Environmental injustice needs to be addressed together with poverty alleviation, because poverty and unequal treatment go hand in hand. Attempts and measures to address the Roma situation cannot be effective unless the Roma and the majority population implement them jointly. As Mohai (1990) pointed out, the improvement of ecological attitudes and public participation in ecological activities can play an important role in social integration and the strengthening of social cohesion. Therefore, environmental issues, due to their impact, which is rarely limited only to the minority population, could provide a common ground for cooperation, involvement, and development.

Whenever there is a positive development in the Roma settlements covered in this book it is mainly because of the activities of external agencies and their programs and projects. Supporting organizations and networks are crucial for progress not only among the marginalized minority, but also in changing the attitudes of the majority. Yet for a durable change, the context also has to be addressed. International (i.e., EU) policies, national economic, social, and environmental policies should foster an enabling environment. This means careful evaluation of all possible impacts from newly developed or already implemented policies and mitigation measures that avoid selective negative impacts on vulnerable groups in the society. Environmental injustice is only a fragment of the problems imposed on the Roma in Eastern Slovakia. At the same time it is an outcome of the complex nature of these problems. It is hardly possible to avoid environmental injustice without addressing social and economic problems of the people or without their integration into society.

Annex

Shifts in Approaches

CURRENT SYNDROMES	SHIFT REQUIRED	DESIRABLE OUTCOMES
■ Formal and legal declaration of policy/legal principles for human rights and governance not sufficient without effective system for implementation; ■ Decentralization of power without empowerment of the marginalized people and effective control mechanisms; ■ Cuts in social assistance may bring some people back to employment. But it will not do the same in the case of the absence of employment opportunities and structural discrimination on the job market (i.e., lack of labor opportunities for low-skilled workers and racial discrimination);	From general reforms of the economic framework and social assistance to targeted measures and approaches and a stronger state for local empowering action	■ Guided, financially supported, and gradual decentralization based on broad awareness-raising campaigns, with control mechanisms managed by the central government; ■ Reconsideration of the basic principles of economic and social policies toward a better system of redistribution and support of social inclusion instead of exclusion; ■ Support for “soft” measures like education, capacity development, and skill-building instead of focusing solely on infrastructure development; ■ Positive affirmation as a temporary measure; ■ Using the EU concept of economic and social cohesion and leverage for development of best practices and approaches in Slovakia; ■ Implementation of EU environmental policies and development of stronger measures for nature protection and conservation based on broad involvement of stakeholders (including Roma);
■ Unsecured tenure, formal property rights, and entitlements are often missing due to structural barriers; ■ Public housing construction is a means for further segregation;	From homeless strangers to inhabitants and stakeholders	■ Redefine property rights in unclear cases, especially when the land has been occupied by Roma for a long time; ■ Registration of houses in shantytowns (softer approach to problematic cases);

■ Exclusion of Roma from entitlements and subsequent management of natural resources; ■ Roma as foreigners in villages excluded from participation and decision making;		■ Support integration of Roma communities by tying funds for housing construction to integration measures; ■ Enhance entitlement of Roma over the natural resources through their involvement in environmental management; ■ Develop and promote alternative forms of ownership and entitlements;
■ Roma settlement is seen by the majority as a problem to be solved through technical measures (e.g., resettlement); ■ Marginalized people are considered to be an obstacle in village development and the tendency is to remove them from the inner territories of the villages;	From marginalized people as part of the problem to marginalized people as part of the solution	■ Support marginalized groups' involvement and development through the three stages of environmental management: hostility/ignorance/involvement, where the environment may provide a common ground for building mutual trust and understanding; ■ Empowerment and capacity development of Roma for effective participation in decision making; ■ Building capacities of non-Roma for opening of the public space for the Roma minority and their social inclusion in the villages;
■ Economic reforms presently limit targeted policies (e.g., introduction of the "flat tax" erased previous tax incentives in the construction industry or renewable energy production); ■ Natural resources play the role of "buffer zone" mitigating impacts of the economic and social situation of the marginalized people in the Roma settlements through collection and trade of forest products;	From the environment as a source of ad hoc income to the environment as an employment generator	■ Government policies, tax incentives, and financial support schemes for the development of green jobs; ■ Eliminate conflicts and tensions over natural resource exploitation through environmental management, development of programs in nature conservation and landscape management, and their institutionalization involving both the minority and majority population; ■ Effective system of environmental education supporting social inclusion;

■ Illegal exploitation of natural resources (e.g., illegal logging) creates tensions between the majority and minority; ■ Plans and programs for local socio/economic development and environmental management are often done by external experts without substantial participation of the affected communities and with virtually total exclusion of Roma in the planning and implementation process; ■ Roma are seen as a problem to be addressed through planning; ■ Goals and objectives of planning are dominated by the interests of the stronger group;		■ Involvement of people in the job market (e.g., in newly created green jobs) by enforcement of equal opportunities and temporary affirmation policies; ■ Participatory planning for environmental management as an opportunity (e.g., Local Agenda 21, Local Environmental Action Programs, or Local Plans of Economic and Social Development) for involvement of the marginalized communities and people and breaking the barriers between communities; ■ EU social and economic cohesion policies as a generator of resources for projects based on participatory planning; ■ Planning as a tool for capacity development and enhancing cooperation between the majority and minority;
	From planning for the people to planning with the people	■ Create programs and projects addressing both the minority and majority; ■ Focus on building synergies instead of deepening segregation;
■ Two groups (Roma and non-Roma) are developing in almost total isolation from each other; ■ Institutional and economic power of non-Roma is used for the social exclusion of the Roma minority;	From competition to collaboration and reinforcing the majority-minority ties	■ Improve information flow between different donors and different agencies working with marginalized communities (database of projects, institutionalized coordination); ■ Support through the state budget the most progressive and successful approaches piloted by NGOs; ■ Multiply best practices and lessons learned in a systematic way;
■ Different projects are implemented by different NGOs with minimal communication of the results to the others; ■ Short life-spans of projects have no or limited follow-up; ■ Passive role of the government and limited involvement in the development of projects with international organizations and local NGOs;	From ad hoc projects to systematic approaches	

■ Limited policies of reflecting lessons learned through development policies in systematic government program;		■ integrate environmental concerns (and environmental justice) into all relevant policies on the national level and financially support progressive approaches to address this issue; ■ Every program for nature protection should start with a social assessment of what it could potentially bring to marginalized communities. Every social policy or project could consider how to use the environment as a source of factors that may contribute to economic and social development; ■ Institutionalized coordination, better connections, contacts and interactions among people framing social, economic, and environmental policies and among people working with the marginalized communities on social and environmental projects; ■ Complex addressing of the current cases of environmental injustice instead of simple resettlement; ■ Develop capacities and chances for Roma so that they will not find themselves in the same position of people bearing an unequal share of the adverse environmental burden; ■ Policies, programs, and projects focused on overall improvements of living conditions with the environment as an integral part of them.
■ Environment (and environmental justice) is a limiting factor in community development, imposing addition burdens on their health, financial resources, and well-being; ■ Environmental protection and poverty alleviation programs are often done in parallel by different people and agencies and for different target groups;	From separate tracks of poverty alleviation and environmental protection to addressing poverty through environmental management and addressing environmental injustice through poverty alleviation	
■ Environmental conditions are seen more as a specific aspect of the shantytown situation, rather than a pattern of discrimination; ■ It is relatively easier to resettle people from environmentally problematic places than to prevent potential new cases and forms of unequal treatment; ■ Deteriorating social situation of the marginalized groups increases the potential for environmental injustice.	From addressing symptoms of environmental injustice to addressing the roots of unequal treatment	

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We find Roma settlements on the outskirts of villages, separated from the majority population by roads, railways or other barriers, disconnected from water pipelines and sewage treatment. Why are some people (or groups) better off than others when it comes to the distribution of environmental benefits? In order to understand the present situation and identify ways to address the impacts of these inequalities we must understand the past and mechanisms related to the differentiated treatment. The situation and discrimination of the Roma ethnic minority in Slovakia is examined from the perspective of environmental conditions and injustice. There is no simple answer as to why there is environmental injustice. Environmental conditions in Roma settlements are just one of the indicators of failures of policies addressing the problem of poverty and social exclusion in marginalized groups, structural discrimination, and internal Roma problems. Environmental injustice is not an outcome of the “historical determination” of the Roma population to live in environmentally problematic places.

As the author justifiably claims environmental justice is a relatively new area of scholarship, not only as regards Roma but more widely in relation to the Central and Eastern European region. Based solidly on existing work in the USA and UK, the author charts the extent and main types of environmental hazards to which Roma communities are commonly exposed, as well as their historical and social origins, before suggesting plausible solutions to what appear intractable problems. As such, the book represents an important addition to resources available for tackling an endemic and deteriorating situation by offering both a well-researched analysis and practical guide to averting an impending human disaster.

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